

“The Luck of the Draw”
A Report on the
Experiences of Trans Individuals
Reporting Hate Incidents
in Northern Ireland

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Executive Summary

This is the first report to study transphobic hate incidents in Northern Ireland, the effect such incidents have on trans individuals and the issues that might constrain trans persons from reporting such incidents to the PSNI. The core focus of the report has been to give a voice to the views, opinions and experiences of trans individuals in relation to hate crime and the way in which experiencing a transphobic incident impacts one's perception of safety and also one's emotional, physical and psychological well-being. In line with this ICR sought to discover the experiences of trans individuals in reporting transphobic incidents to the PSNI, and to what extent past interactions with the police affected trans persons' confidence in reporting an incident in the future.

This research builds upon previous research carried out by ICR, which has looked at the issues which affect trans individuals (Hansson and Hurley-Depret 2007) and other forms of hate crime, including homophobia (Jarman and Tennant 2003), racism (Jarman and Monaghan 2004), sectarianism (Jarman 2005) and disability (Vincent et al. 2009). It has been funded by Belfast City Council Community Safety Partnership and the Office of the First Minister and Deputy First Minister (OFMDFM).

The research project included four main elements: (i) a review of previous research on transphobic harassment in America, Europe, Great Britain and the island of Ireland; (ii) an analysis of all transphobic hate incidents recorded by the PSNI between March 2006 and April 2009; (iii) focus groups and face to face interviews with trans persons in Northern Ireland to determine their experience of transphobic harassment and reporting such experiences to the PSNI; and, (iv) a series of interviews with individuals working with trans individuals and statutory agencies.

The literature review revealed that transphobic harassment is a concurrent problem across the world faced by individuals who present non-gender conforming behaviour, but there had been no research on this specific issue among the trans population in Northern Ireland. Anecdotal information gathered through interviews suggests that

currently there are between 120 – 140 individuals associated with the three main trans support groups in Northern Ireland and that there is an increasing number of people undergoing gender transition at a younger age than previously. Trans persons were also found to be ambivalent to the label ‘LGBT,’ as it was perceived to reduce a focus on trans specific issues. The label LGB&T was deemed more appropriate by some.

Police Data

The PSNI have been recording data on transphobic incidents since April 2006. Between April 2006 and March 2009 the PSNI recorded forty-nine transphobic incidents and twenty transphobic crimes, one of which has been cleared by the PSNI. However, the current levels of *recorded* transphobic crime did not seem to accurately reflect the level of *experienced* transphobic hate crime. Transphobic hate crime, like many other forms of hate crime, appears to be under-reported.

The most common form of *recorded* transphobic hate crime was criminal damage; fifteen such crimes were recorded between 2006 and 2009. The second most common form of transphobic hate crime was woundings/assault, four of which were recorded between 2006 and 2009. Only one of the twenty *recorded* transphobic crimes has been ‘cleared’ by the PSNI between 2006 and 2009.

A large proportion of recorded transphobic incidents (twenty-nine) and crimes (nine) occurred in C District, the majority of which occurred in North Down. There has been, however, a dramatic year on year decrease in both the number of transphobic incidents and crimes that have been recorded in C District between 2006 and 2009, with the number of transphobic incidents and crimes falling from twenty-four incidents and seven crimes in 2006/07 to no incidents or crimes in 2008/09. H District had the second highest number of transphobic incidents (eleven) during the same period, all of which took place in Coleraine. F District had the second highest number of transphobic crimes recorded (five) between 2006 and 2009: four of these crimes were recorded in 2006 and relate to a single incident that occurred in Omagh. E District (Armagh, Banbridge, Craigavon and Newry and Mourne) stands out as the

only police district across Northern Ireland that did not have a single transphobic incident or crime recorded between 2006 and 2009.

Focus Groups and Interviews with Trans Individuals

ICR spoke to members of the three main trans support groups in Northern Ireland – The Belfast Butterfly Club, The Oyster Group and The Purple Group – as well as individuals associated with these support groups through other community organisations.

The research revealed that members of the trans population are the same as any other member of society, with a specific community background and regular concerns regarding housing, employment and how to spend their leisure time. However, for many trans individuals, although not all, their life is complicated by the fact that they receive significant amounts of harassment and abuse due to their gender identity.

Verbal abuse was experienced by some regularly, for some almost on a daily basis, while others have been victims of malicious communication, intimidation and actual physical abuse because of their gender identity. The majority of trans individuals were found to have concerns regarding their safety in public spaces. Individuals who had experienced harassment reported that it negatively impacted upon their emotional, physical and psychological well-being.

The trans population have a wide range of experiences in their interactions with statutory agencies, some of which were positive but most of which were negative. Negative interactions with the statutory agencies, including the PSNI, were characterised by use of an inappropriate name and/or pronoun. Some trans individuals reported being laughed at by the PSNI due to their gender identity. Inappropriate behaviour and an insensitive manner towards trans individuals were seen to be fuelled by a lack of awareness of trans issues, a lack of appropriate training in handling trans persons' cases and a lack of engagement between statutory agencies and trans support groups. Having a negative experience with a statutory agency, especially the PSNI,

was found to inhibit trans persons from utilising the service again and may lead them not to report a transphobic incident in the future. Negative views of the PSNI could also be passed on to friends, which in turn could prevent them from reporting a crime.

Survey and Discussions with Hate Incident Minority Liaison Officers (HIMLOs)

ICR received thirteen responses to a questionnaire sent out to thirty-eight HIMLOs, and seven face to face interviews were also conducted with PSNI officers. The PSNI were found to be fulfilling the aims and objectives set out in their Policy Directive 02/06 that outlines the organisation's strategic and operational approach to responding to hate crime, to differing degrees of success. The majority of HIMLOs currently appear to have good channels of engagement with communities that are affected by hate crime. A minority of HIMLOs had limited forms of engagement with communities affected by hate crime. The current level of training received by HIMLOs to date is varied, with the majority of HIMLOs having received some level of training relating to their job role. A minority of respondents, however, were found to have received little or no training in regards to their position as a HIMLO. It was felt that further training would be beneficial. The majority of HIMLOs showed a good understanding of why hate incidents are under-reported and were able to give positive suggestions of how to improve levels of reporting. Third party reporting was seen to be useful but needed to be promoted more and advocacy schemes were highlighted as potentially good ways of increasing levels of reporting and improving relations between minority communities and the PSNI. The PSNI was also shown to be proactive in its attempts to raise awareness about hate crime among communities affected by hate incidents and the wider population.

HIMLOs were found to have little experience in dealing with transphobic hate incidents. There also appeared to be little interaction between the majority of HIMLOs and the trans population, with a number of HIMLOs admitting that they had no knowledge of trans issues. There was consensus among the majority of HIMLOs that training regarding trans issues would be beneficial. A number of HIMLOs saw

community engagement as a good means of increasing the levels of transphobic hate crime reported to the PSNI.

Overall, the PSNI should be seen as working hard to respond robustly and sensitively to hate crime. However, one key theme that has emerged is that currently there is a lack of standardisation across how HIMLOs engage with communities affected by hate incidents, how the HIMLOs have been trained, and in the types and location of advocacy schemes. This lack of standardisation means the PSNI may be failing to consistently ensure that every reported incident is investigated to the same standard and that every victim receives the same level of assistance and support.

Recommendations

This report makes a number of recommendations for further action. These include:

1. There should be a general social education campaign to raise awareness about trans issues and transphobia. This might include the creation of a working group to advise both government and statutory bodies on possible ways of improving policy and procedures relating to trans individuals.
2. There is a need to provide members of the PSNI with accurate and relevant information in order to help them to handle trans persons' cases appropriately and with the required sensitivity. Any PSNI training programme relating to trans issues should therefore target priority members of staff, initially this may be focused on HIMLOs.
3. There is a need to increase the level of engagement between HIMLOs and trans support groups. The PSNI should open up channels of communication with trans support groups with the intention of convening group meetings to try to build a working partnership between the PSNI and the trans population. In line with this an invitation should be extended to trans persons to serve on Independent Advisory Groups (IAGs).
4. The role of HIMLOs needs greater standardisation in three key areas: *Training* – all current HIMLOs, and any future HIMLOs, should be required to undertake a designated training programme; *Engagement* – the PSNI's Policy

Directive 01/09 (2009) on *Partnership Working* should be used to create a formal standardised procedure for HIMLOs to initiate partnerships with relevant community groups; *Advocacy Programmes* – an audit should be undertaken to ascertain the viability of having relevant advocacy programmes in each police district.

5. There is a need to increase awareness of trans issues among statutory agencies and for statutory agencies to create practical policy and procedural guidelines relating to trans persons, both individuals undergoing transition in the workplace and persons utilising their services.
6. Sensitive and age appropriate information regarding trans issues should be taught in school. Any education programme should therefore also cover issues of transphobia and transphobic bullying.
7. There is a need for increased resourcing for trans support groups in order to increase their capacity to engage with statutory agencies, raise awareness of trans issues and respond to policy developments.

1. Introduction

Recent research conducted by Hansson and Hurley-Depret (2007) for the Office of the First Minister and Deputy First Minister (OFMdFM) has highlighted that the largely ‘invisible’ population of transgender individuals living in Northern Ireland experience many problems due to their minority gender identity. In 2006/07 the Police Service of Northern Ireland (PSNI) began recording ‘hate incidents and crimes’ directed at the transgender community. This progressive step has made it possible for the first time to have an in-depth look at the levels of transphobic violence in Northern Ireland. However, it is widely acknowledged that the number of incidents and crimes *recorded* by the PSNI will be misrepresentative of the level of transphobic incidents and crimes *experienced*, due to ‘*significant under-reporting of hate crime*’ (CJINI 2007: 21; see PSNI 2006 and Turner et al. 2009).

Research conducted among Northern Ireland’s transgender population indicates that ‘*there has been little engagement with the transgender community and little understanding of the issues facing the transgender population*’ (Hansson and Hurley-Depret 2007: 5). It is the purpose of this report to attend specifically to the issues faced by individuals who face transphobia, and therefore it has been necessary to demarcate LGB communities from transgender communities as ‘*there might be an attitude among politicians and service providers that measures to include lesbians and gay men will automatically be sufficient to address trans people*’ (Browne and Lim 2009: 24). Specifically there is a lack of information regarding the nature and impact of transphobic hate crime among members of the transgender communities. Little is known about their experiences of reporting hate crime and of engaging with the police and of possible ways to improve current reporting levels and responses by the police and other statutory bodies. The Belfast City Council Community Safety Partnership and the Office of the First Minister and the deputy First Minister commissioned the Institute for Conflict Research to carry out research into the experiences of the transgender community in relation to transphobic hate crime and engaging with the police. The aims and objectives of this research are to:

1. Identify the scale and nature of transphobic hate crime in Northern Ireland;
2. Identify the existing approach by the PSNI and other relevant agencies to deal with this issue;
3. Review existing research and statistical evidence in respect of transphobic hate crime in UK and Ireland;
4. Review wider experiences of hate crime and identify current best practice among government and statutory bodies in responding to all forms of hate crime;
5. Identify specific issues to be addressed in order to improve engagement between Transgender communities and statutory bodies;
6. Identify existing good practice relating to working with transgender people and/or responding to transphobic hate crime.

Methodology

In order to effectively meet the aims of the research project and convey the wide range of experiences and views of transgender individuals living in Northern Ireland, the research team employed a variety of methods during the study. These included a broad ranging literature review, a review of PSNI statistical data on transphobic hate incidents and crime, and holding three focus groups and several interviews with individual members of the transgender communities. The research team also sought views and information from representatives of support and advice organisations assisting transgender individuals on a daily basis, including interviews with the members of The Belfast Butterfly Club, The Oyster Group, The Purple Group, The Rainbow Project, Youthnet and a focus group with the NHS Gender Identity Clinic based in Belfast.

ICR also designed a questionnaire surrounding transphobic hate crime (see Appendix 1), which was disseminated to trans individuals living in Northern Ireland. The questionnaire was posted online via the website ‘www.surveymonkey.com’ and was disseminated via trans support groups, either in person at support group meetings or electronically via e-mail mailing lists. ICR also asked a number of focus group/interview participants to complete the questionnaire in paper form, which were then inputted online by ICR staff. In total ICR received 18 responses, the results of which can be found in Appendix 2. The survey had a good demographic representation and was completed by nine self-identified men and nine self-identified women of a wide age range of 21 – 60 years.

Interviews were also conducted with representatives of relevant statutory agencies actively involved in issues surrounding hate crime, including two interviews with Belfast City Council Community Safety Partnership employees, two interviews with members of the Northern Ireland Housing Executive, an interview with the Project Manager of the Unite Against Hate Campaign and an interview with the PSNI’s Chinese community advocate from the Chinese Welfare Association.

ICR also communicated with transgender groups outside of Northern Ireland including: a:gender, a support network for transgender staff of the civil service; the Gender Identity Research Education Society (GIRES) based in London; Press for Change, a transgender political lobbying and educational organisation, which is also based in London; and, the Transgender Equality Network Ireland (TENI), based in Dublin.

ICR also sought the opinions of relevant members of the PSNI. This included e-mailing¹ an open-ended questionnaire to each of the PSNI’s thirty-eight Hate Incident Minority Liaison Officers (HIMLO) internally through the PSNI’s Community Safety Branch (see Appendix 3). The questionnaire was designed in order to give respondents a chance to write extended answers and offer subjective insights into

¹ The questionnaire was sent out via e-mail on three separate occasions over a three month period in order to allow HIMLOs ample opportunity to complete the questionnaire.

issues surrounding hate crime, the reporting of hate crime and, more specifically, transphobic hate crime in their District Command Unit (DCU).² Due to the large number of HIMLOs it was neither feasible nor necessary to have in-depth individual interviews with each HIMLO. Returned questionnaires served as a tool to delineate which HIMLOs would be contacted for a face to face interview. Interviews were conducted with seven HIMLOs. The officers chosen worked in different DCUs that covered both of Northern Ireland's major cities, Belfast and Derry/Londonderry, as well as smaller towns, including Bangor and Coleraine, and who currently occupied a range of ranks, including sergeants, support officers and inspectors. Within the in-depth interviews respondents were asked to elaborate upon points raised in the questionnaire, by themselves and others.

It has been noted that transgender communities are hard to reach populations (Office for National Statistics 2009). However, links established through previous pieces of research conducted by ICR (Hansson and Hurley-Depret 2007) has enabled easier access to transgender communities and allowed the possibility to get insights from transgender individuals across Northern Ireland. The decision was taken to focus on qualitative research methods in order to gather a strong understanding of transgender persons' experiences of hate crime and the reporting of such crime, given the difficulties involved in conducting a survey with a small sample population, which is both geographically dispersed and hard to reach. Focus groups with small numbers of transgender persons, set up through intermediaries, were held in order to ensure individuals felt safe and secure. If individuals felt as though they wished to discuss any points further they were invited to participate in a one-on-one semi-structured interview. This method also enabled the enlisting of further participants through 'snow-balling', recruiting future subjects from among the acquaintances of past participants.

² The PSNI geographically demarcate eight District areas for strategic purposes, which are then subdivided into DCUs. There are a total of twenty nine DCUs in Northern Ireland (see Appendix 5).

Terminology

Terminology relating to the transgender population can be an issue of contention for individuals who are deemed to be part of the community and therefore must be approached with sensitivity. Commonly, the term ‘transgender’, and more recently ‘trans’, has been used as an umbrella term to refer to people whose gender identity and/or gender expression differ(s) from the sex assigned to them at birth (Mayock and Bryan 2009). This term has been found to be more inclusive and acceptable by gender identity researchers (Breitenbach 2004). The term ‘trans’ was originally coined by Press for Change, a London based trans lobby group, in their 1996 mission statement (Whittle et al. 2008). There is a wide range of gender identities incorporated within the term trans, including, but not limited to: intersex people (an individual with intermediate or atypical combinations of physical features that usually distinguish male from female), cross-dressers (individuals who dress in the clothing commonly associated with the opposite gender than they were assigned at birth, such individuals often have no desire to change their biological sex, either legally or otherwise), transgenderists (individuals who may want hormone therapy but not have genital reassignment surgery), transsexuals (individuals who undergo a variety of forms of therapy to realign their body to conform to their desired gender identity), and post-transition men and women who have undergone gender reassignment³ (Collins and Sheehan 2004; Browne and Lim 2009).

The contention of using the umbrella term ‘trans’ arises from two major points. First, many individuals who fall under the rubric of trans often have fluid gender identities throughout their lifetimes (Valentine 2007; Whittle et al. 2007). By adopting and moving between different gender identities, individuals can align their gender expression with their embodied experiences. This enables some, once they have completed their transition, to ‘disappear’ and to define themselves as simply men or

³ Gender reassignment is the social, biological and legal process that enables an individual to make the ‘transition’ from one gender to another. In order to complete their transition an individual may seek medical intervention to alter primary and secondary sex characteristics, as well as changing their social gender and legal names. However, it is important to note that there is no uniform method of undergoing gender reassignment and some individuals may go through some, or no, medical procedures.

women and reject the label ‘trans’ (Browne and Lim 2009; Whittle et al. 2008). It is important to respect this and not label individuals in a way that contradicts their gender identity. Second, using one term to describe a broad range of subjective identities may seem to some to ignore the differences between the subgroups incorporated within this term and therefore deny concerns that are specific to a certain subgroup of the trans population. However, we feel the use of ‘trans’ is appropriate, as it is a general term that allows us to present most, if not all, of the issues affecting this diverse range of individuals who share similar but different life experiences in Northern Irish society, especially in relation to transphobia and transphobic hate crime.

Trans Issues

In the first report to specifically address the trans population in Northern Ireland Hansson and Hurley-Depret (2007) found that trans individuals commonly experienced forms of harassment, abuse, bullying, discriminatory disciplinary sanctions at work, and marginalisation due to their gender identity. The research revealed that respondents felt that the high occurrence of negative incidents experienced by many trans individuals was linked to a fundamental lack of knowledge within society about the issues associated with transgenderism, gender identity disorder⁴ and the ‘transition process’ (any combination of social, medical and legal steps that an individual takes to feel comfortable in their gender presentation and role). The widespread ignorance that trans individuals believe to exist within society leads many to live with a significant concern of how they are perceived by the community, which negatively impacts their ability to interact within the public sphere.

Hansson and Hurley-Depret (2007) also found that many trans people were wary of living or being identified in their preferred gender in public and had limited experiences with public bodies in their preferred gender identity. This was connected

⁴ Gender Identity Disorder (GID) is the formal medical diagnosis given to individuals who do not identify with, nor wish to live as, the gender assigned to them at birth. Such a diagnosis is required if an individual wishes to access hormonal treatment or surgery, and includes a number of specific criteria – for a synopsis of the etiology of gender variance see GIRES 2008.

to the fact that many trans individuals had had negative experiences in the workplace, using public facilities and accessing social and statutory services in their preferred gender. The issues Hansson and Hurley-Depret (2007) discovered surrounding trans individuals accessing and utilising statutory services and the high level of harassment and discrimination they face, raises the question of how trans individuals interact with the criminal justice system and report crime.

In Northern Ireland there is now a growing number of trans support groups, including the Oyster Group, the Butterfly Club, and the Purple Group, that operate as support networks specifically for trans people and their families. Their aims are to increase awareness, overcome discrimination and achieve equality for trans individuals. The increasing number of trans groups in Northern Ireland reflects the growth in the trans communal identity, and the fact that some individuals are prepared to speak out for trans rights and interact with public bodies on behalf of others. Unfortunately, however, the growth in groups also reflects the growing recognition of the harassment and discrimination faced by this 'hidden' community, which has been brought into sharper focus through technological social networking (see Whittle 1998) and media reports of harassment and discrimination against transgender individuals, such as the '*death threat terror of sex change couple*' in Co. Down reported on 30 September 2007 in the Belfast Telegraph.

The increasing self-awareness of the trans population has led to a more pragmatic approach to challenging injustices that are caused by what some see as inherent transphobia in Northern Irish society. Incidents that are perpetrated against an individual because of their actual, or perceived, trans status are understood to be directed by transphobia. Transphobia is seen as emotional disgust and/or negative attitudes harboured towards gender non-conforming persons (Hill and Willoughby 2005; Bettcher 2007; Wentling 2007). While transphobia is different in nature from homophobia, as it revolves around gender identity issues rather than sexual orientation, some trans individuals may be subjected to both transphobic and homophobic hate crime. In fact there is "*a strong argument that much homophobic crime is actually transphobic, as it is a person's gender presentation which attracts*

attention in public spaces rather than a prior knowledge of their sexual orientation” (Whittle et al. 2007: 55).

Transphobia can operate at different levels and therefore impacts upon an individual's life in many different ways (Thompson 2007). The most overt form of transphobia is at the interpersonal level. Harassment, verbal abuse, threats, intimidation, damage to property, physical and sexual violence are some of the manifestations of transphobia that trans individuals may face from family members, neighbours, peers, teachers, work colleagues, and/or strangers. Experiencing any form of transphobia will serve to negatively affect the emotional, physical and/or psychological well-being of the victim.

Institutional discrimination can be more subtle than interpersonal prejudice, but is no less damaging. The inadequate provision of a public service, whether it is in a leisure centre or when contacting the emergency services, due to ignorance, insensitivity and/or intolerance of gender identity issues is a significant form of discrimination that can seriously impact upon an individual's emotional well-being and/or quality of life. One or more negative experiences when dealing with a specific institution, such as the police, may cause a transgender individual to feel uncomfortable utilising that particular public service and/or facility again in the future. This can have significant repercussions for an individual if they felt unable to report a transphobic incident to the police or another relevant public institution, including the Northern Ireland Housing Executive.

In the past ten years there has been a change in the legal position of trans individuals in Northern Ireland. The Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999 amended the Sex Discrimination (Northern Ireland) Order 1976 and made discrimination in employment⁵ on grounds of gender reassignment

⁵ The law protects trans individuals at all stages of employment, including recruitment, promotion, access to benefits, sick leave, selection for redundancy and vocational training. There are rare circumstances, however, when specific posts are exempt due to gender being a Genuine Occupational Qualification (GOQ), and it is lawful to restrict employment to people of a particular sex or gender (National Union of Journalists 2006; Reed et al. 2009).

illegal as a form of sex discrimination. The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2008 further amends the Sex Discrimination (Northern Ireland) Order making an organisation vicariously liable⁶ if they have not taken reasonable steps to prevent harassment by a third party (Office for National Statistics 2009). While The Sex Discrimination (Amendment of Legislation) Regulations 2008 extended legal protection to individuals who are undergoing and have undergone gender reassignment whilst accessing goods, facilities, services and premises (personal communication with member of the Equality Commission for Northern Ireland). This protection, however, only applies to one sub-community of the wider trans population, namely individuals who intend to undergo, are undergoing, or have undergone gender reassignment.⁷ Despite the illegal nature of discrimination on the grounds of one's gender identity or gender reassignment, discrimination is still experienced by many trans individuals (Hansson and Hurley-Depret 2007). The recent legislative changes in Northern Ireland, as with the rest of the United Kingdom, have helped to create a positive legal environment for trans individuals who face discrimination; however there are still barriers for the full recognition of the harassment that the trans population suffer.

In 2004 the Government passed the Criminal Justice (No 2) (Northern Ireland) Order which allowed the courts to impose an increased sentence where any offence was aggravated by hostility towards the victim's membership of a racial or religious group, because of their sexual orientation or because of a disability. The categories of race and religion were included because of the existing evidence of the scale of the problem of racist and sectarian hate crimes, while sexual orientation and disability were included as a result of lobbying during the consultation and parliamentary processes⁸. Transphobia was not, and is not, included as a formal category of hate

⁶ The employer must know that the employee has been harassed on at least two other occasions to be liable, and covers harassment from customers, suppliers, clients, contractors, and visitors.

⁷ For further information regarding the laws surrounding the gender reassignment process see (Hansson and Hurley-Depret 2007; Office for National Statistics 2009; Reed et al. 2009; Unison 2009; Unison 2009a).

⁸ See the reports by the Northern Ireland Affairs Committee: *'Hate Crime': the Draft Criminal Justice (Northern Ireland) Order 2004 Government Response. Fifth Special Report of Session 2003-04*, London, The Stationary Office, and *The Challenge of Diversity: Hate Crime in Northern Ireland. Ninth Report of Session 2004-05*. London, The Stationary Office.

crime recognised under the law. However, the police have acknowledged that transphobic hate crime is a problem and have recorded such incidents since April 2006.

Hate crime can be used to '*degrade, humiliate, or stigmatise the victims*' (McIlroy 2009: 6). Experiencing persistent transphobia, in the form of continued harassment and discrimination could seriously impinge on an individual's quality of life and possibly lead to psychological distress (McNamee 2006). The emotional and social marginalisation caused by transphobia has been highlighted as a major contributing factor of depression among trans persons (Nemoto et al. 2004), which can lead to self-harm and suicidal thoughts (Mayock and Bryan 2009). The psychological impact of transphobia reinforces the importance of trans support groups but also emphasises the need for greater awareness among support agencies and services regarding the issues that affect the trans population and constrain individuals in seeking help. This includes the creation and maintenance of discreet support services and safe spaces – whether these are in private houses, clubs and bars or other forms of social centres – where people can be open and supported in their preferred gender identity.

There is then a dichotomy that exists within the trans population. On the one hand the transgender community has historically relied on their ability to live in 'stealth' and 'pass' – conform to society's expectations of the appearance, presentation and behaviour of one's acquired gender – in the interests of their personal safety by avoiding being 'outed' – having one's trans status revealed to the wider community. This is because the risk of harassment '*increases sharply if they make themselves publicly visible*' (Reed et al. 2009a). On the other hand, in order to reduce the levels of harassment trans people face, there is a greater need for trans individuals and groups to interact with the wider community and statutory institutions, thereby making themselves visible, in order to advocate for trans rights.

This research builds upon previous research carried out by ICR, both on the issues which affect the trans population (Hansson and Hurley-Depret 2007) and which has looked at other forms of hate crime such as homophobia (Jarman and Tennant 2003),

racism (Jarman and Monaghan 2004), sectarianism (Jarman 2005) and disability (Vincent et al. 2009). Specifically, this report is an attempt to look more closely at the issues surrounding transphobic hate crime in Northern Ireland, the issues and problems it poses for different groups within the trans population and issues that might constrain relations with the criminal justice system and reporting of such cases to the PSNI. The core focus of this report is to highlight trans individuals' experiences of hate crime in Northern Ireland and how they cope with a transphobic incident, who they contact for help and why, and finally what is the perception of the PSNI and other relevant public institutions among trans individuals in Northern Ireland. The report considers what can be done to make the reporting of transphobic hate crime easier and more appealing to trans individuals.

2. Existing Research on Transphobia

Interpersonal and institutional discrimination directed towards individuals due to their preferred gender identity is becoming increasingly noted as a serious and significant problem for members of the trans population. The growing recognition of this unfortunate reality has been in part due to the growing number of organisations and academics working with the trans population in researching and documenting the harassment, prejudice and discrimination experienced by trans individuals and the consequences of transphobia.

This section explores some of the research that has been carried out on the trans population, transphobia and its impact on the lives of trans individuals. First, we present an overview of transphobia and issues connected to it. We then see how transphobia has affected trans individuals in the United States. The higher profile of trans persons in the United States has led to a proliferation of research, which is useful for highlighting the broad areas of concern relating to transphobia. This is then followed by a summary of a comprehensive report into transphobic hate crime in the European Union. There is then an examination of the issues within Great Britain, and then finally, there is analysis of the small amount of available literature regarding the island of Ireland.

Transphobia is a concurrent phenomenon across the globe, with incidents motivated by transphobic hatred seriously impacting the lives of trans individuals throughout the world; it is therefore relevant to explore research findings from different countries in order to have a greater understanding of the issues that affect global trans population. While we acknowledge that the experiences of trans individuals living in Northern Ireland will differ in many ways from trans persons in other countries, due to Northern Ireland's unique socio-political environment, the lack of trans specific research in Northern Ireland makes it difficult to present a complete overview of the issues that affect trans individuals.

Transphobia

‘Transphobia’, understood as emotional disgust and/or prejudice harboured towards gender non-conforming persons (Hill and Willoughby 2005; Bettcher 2007; Wentling 2007), revolves around issues of gender identity and is therefore different in nature from homophobia, which is centred on issues of sexual orientation. The two are, however, interlinked and trans individuals may be subjected to both transphobic and homophobic harassment. An individual who is believed to transgress normative gender roles may be subjected to various forms of harassment as transphobia manifests itself in many different forms, including but not limited to: physical and sexual violence, verbal abuse, hate speech, criminal damage, bullying etc. The hostility enacted upon trans individuals has been linked to individuals in society feeling the need to police “*gender presentation through public and private space*” (Namaste 2006).

It is important to note that the level of harassment a trans individual may receive can often be closely linked to their ability to pass and their ability to avoid being outed, as the risk of harassment ‘*increases sharply if they make themselves publicly visible*’ (Reed et al. 2009a). If an individual does not pass they may have to resign themselves to ‘*daily transphobia and the deliberate misrecognition of... [their] gender*’ (Browne and Lim 2009: 78). Individuals who ‘blend’, or pass, into society may avoid some forms of harassment that persons who do not pass face. An individual’s ability to pass may depend on a number of factors, including if an individual is pre or post-transition, the time of day, the social setting and even their gender. The ability to pass may be easier for a female to male (FTM) trans person than for a male to female (MTF) trans individual, as it may be more difficult to ‘feminise’ certain body characteristics than to ‘masculinise’ one’s physical appearance. MTF trans individuals then, due to the more difficult transition process and thus their ability to pass, may be subjected to higher levels of transphobic hate crime than FTM trans individuals. This may also be true for cross-dressers.

The extent to which transphobic harassment has become an expected part of a trans individual's life is becoming increasingly apparent through research carried out among trans persons, both in the United Kingdom and further afield.

Research in the United States

Research has suggested that trans individuals experience high levels of transphobia within the United States, and that they often experience '*multiple and often horrifying*' forms of violence (Valentine 2007: 205). In 2003 alone a total of fourteen murders of trans people were reported in the United States (Bettcher 2007). Wentling (2007) has highlighted the fact that the media in the United States has reported at least one anti-trans murder every month since 1989. The scale of the violence directed towards trans persons living in the United States has led some to estimate that if you are a Male-to-Female trans individual the odds of being murdered are 1 in 12, compared to the wider population who have a 1 in 18,000 chance of being murdered (Human Rights Campaign: No Date).

Trans individuals experience many forms of harassment due to their gender identity. A report by GenderPac (1997) found that 48% of trans persons in the United States have been the victims of at least one physical assault, while 78 per cent had experienced some form of verbal harassment due to their gender identity. In another study, carried out in 1997, Lombardi et al. (2001) found that of the 402 trans persons surveyed over half of respondents had been verbally harassed within their lifetime, and a quarter had experienced a violent incident. The high level of both physical violence and verbal abuse experienced by trans individuals in the United States is reaffirmed by Nemoto et al. (2004) in their study of Male to Female trans individuals of colour, which found that 20 per cent of the individuals that they interviewed had experienced some form of violence due to their gender identity. In this study verbal abuse was once again found to be higher in occurrence than physical violence, with 63 per cent of trans people being told they were not normal, and 61 per cent stating that they had been made fun of due to their gender identity.

The verbal and physical harassment faced by trans person living in the United States has been found to have powerful repercussions on the individual, impacting their social lives as well as their emotional, physical and psychological well-being. Prolonged harassment can lead to feelings of social isolation. The persecution faced by trans individuals can create an atmosphere of anxiety and fear, which may lead a person to internalise the transphobia they face, in turn causing emotional and psychological distress. Nemoto et al. (2004) have suggested that transphobia was the strongest independent contributor to depression among trans individuals in their study, and that such mental health concerns led to suicidal thoughts. Clements-Nolle et al. (1997) support this finding, as in their study of 515 trans persons based in the San Francisco area 47 per cent of trans individuals under the age of twenty-five had attempted suicide and 30 per cent of trans persons older than twenty-five had attempted suicide.

It is clear that trans individuals that live within the United States suffer from severe levels of harassment due to their gender identity, and that transphobia has a direct impact on their emotional, physical and psychological well-being. Lombardi et al. (2001) have suggested that the pervasive pattern of harassment and violence against trans people within American society is motivated by a social climate that severely sanctions people for not conforming to societal gender norms.

Research in the European Union

Turner et al. (2009) have recently made an attempt to quantify trans people's experiences of transphobic hate crime in European Union member states, and its authors believe it to be '*probably the most accurate picture of the extent of transphobic hate crime to date in context of the trans people from the EU states that participated*'. The research draws on an online survey that was translated into 13 languages⁹, launched in October 2007, and completed by 2669 respondents. It found that 79% of respondents had experienced some form of harassment in public ranging

⁹ The survey was written in English and translated into Danish, Swedish, Maltese, Polish, Russian, German, Greek, French, Dutch, Spanish, Finnish, Italian and Hungarian (Turner et al. 2009).

from transphobic comments to physical or sexual abuse. The most common forms of harassment were (unsolicited) comments (44%) and verbal abuse (27%). 15% of respondents had experienced threatening behaviour and 7% physical abuse. The report found that (Male to Female) trans women may be more likely to experience harassment than (Female to Male) trans men. The survey also found that the vast majority of respondents from all countries were not confident that they would be treated appropriately by members of the police service as their preferred/acquired gender, the authors suggest that this *‘undoubtedly has a negative impact on transphobic hate crime being reported in the first place’*.

The authors of this study also decided to conduct qualitative research into three cases of transphobic crime involving trans women that occurred in the UK over the last 4 years. They found common factors that they believed prevented a prosecution in each case that related primarily to trans women being understood by the Criminal Justice system as men by proxy, suggesting: attacks on trans women by men are implicitly regarded as ‘male-on-male’ attacks rather than male-on-female attacks’; trans women’s vulnerability as women and as trans women is overlooked; and, in many cases trans women are often presumed by the police to be the cause of the incident rather than the victim. They concluded their report by suggesting recommendations, one such recommendation was that:

The police and the criminal justice agencies need to work on building a relationship of trust with the trans population in their countries in order that transphobic hate crime is reported by victims and that justice can be done.

Research in Great Britain

The experiences of trans individuals in the United States are to a certain extent mirrored in Great Britain. The Engendered Penalties Report (2007), a nationwide survey that claims to be the *‘largest data collection ever analysed and the largest survey response ever received when doing research on trans people’s lives’* (2007: 5), offers a clear indication of the level of transphobia within Great Britain. It found that

73 per cent of trans people had experienced some form of harassment within the public domain, including negative comments, threatening behaviour, physical abuse, verbal abuse or sexual abuse while in public spaces; and that 64 per cent of trans men and 44 per cent of trans women had experienced harassment or bullying at school¹⁰. The high level of harassment experienced by trans individuals has produced an environment of suspicion and fear, with 42 per cent of trans persons feeling unable to live permanently in their preferred gender role because they are worried it may threaten their employment status. Such fears were proven to have a real foundation as 10 per cent of trans individuals had experienced being verbally abused and 6 per cent had been physically assaulted within the workplace.

These nationwide findings have been supported by research carried out on the experiences of trans individuals in different British localities. In a survey of the LGBT community in Brighton, Browne and Lim (2008) reported the findings of the forty-three people who identified as 'trans' (5% of the total population sample). Transphobia was a significant aspect of the experiences of this small subsection of the LGBT community within Brighton, with 58 per cent of respondents reporting they felt marginalised on the basis of their Trans identity. It is unsurprising that there were feelings of marginalisation among trans respondents as *'experiences of hate crime were pervasive and almost daily, particularly when trans people didn't pass'* (Brown and Lim 2008: 77). Verbal abuse (79%) was the most common form of transphobia experienced, closely followed by negative comments (77%), then harassment (42%), bullying (35%), physical violence (26%), criminal damage (14%), and sexual assault (9%). Almost half, 47 per cent, reported having experienced direct or indirect discrimination from individuals and/or organisations providing goods, services or facilities on account of their sexual orientation and/or gender identity in the past five years (Brown and Lim 2008).

The Scottish Transgender Alliance (2008) found that 62 per cent of the seventy-one trans respondents surveyed in Scotland had suffered from transphobic harassment

¹⁰ The Home Office has recently released a document to provide guidance for schools in producing anti-bullying policies to protect gender non-conforming young people (see Reed et al. 2008).

from strangers. Transphobic incidents were not just experienced in public but were also a predominant feature of trans individuals' working lives in Scotland, with 53 per cent of people being subjected to transphobic discrimination or harassment at work. Eight percent had been sacked and 13 per cent of individuals had quit their job out of fear of discrimination (Scottish Transgender Alliance 2008).

The effects of interpersonal and institutional harassment are often exacerbated by issues of social isolation that leave transgender individuals without an intimate support network to help them in times of need. The Engendered Penalties study (2007) found that 45 per cent had experienced familial breakdown as a result of their gender identity, with 37 per cent of respondents becoming excluded from family events. Brown and Lim (2008) echoed this finding, as 41 per cent of trans individuals living in the Brighton and Hove area described their relationships with their family of origin as either poor or very poor. It was also found that 64 per cent of trans respondents in Brighton and Hove have experienced domestic violence and/or abuse. Negative experiences within the home are further highlighted by the fact that 46 per cent of trans individuals in Scotland had suffered transphobic domestic abuse (Scottish Transgender Alliance 2008).

The majority of trans individuals living in Great Britain therefore experience transphobia and transphobic incidents within public space, at work, when dealing with social institutions, and at home. Persecution is therefore felt in almost every aspect of a person's life and can lead to individuals feeling socially isolated and informally excluded from the wider community. Experiencing harassment not only creates feelings of isolation but also prevents individuals from using public services, as 36 per cent of trans persons in Brighton and Hove and 46 per cent of trans individuals in Scotland reported that they feel unable to utilise mainstream services, due to a fear of receiving transphobic harassment from staff and other service users (Brown and Lim 2008; Scottish Transgender Alliance 2008).

The repercussions of such an insidious atmosphere is that many trans individuals have significant health related issues due to feelings of anxiety and stress that leads some to

self-harm and others to suffer from depression (Laird and Aston 2003) The result is that in Great Britain trans individuals are twice as likely than non-trans individuals to have had serious thoughts of suicide, more than three times as likely to have attempted suicide in the past five years, and over five times as likely to have attempted suicide in the past twelve months as non-trans people (Browne and Lim 2008).

Experiences on the island of Ireland

The experiences of trans individuals living both in Northern Ireland and the Republic of Ireland have remained largely undocumented until recently. Research into the lives and experiences of trans individuals in Northern Ireland remains very limited. Some studies have attempted to include trans issues within wider Lesbian, Gay and Bisexual (LGB) research (QueerSpace 2002; Carolan and Redmond 2003; Breitenbach 2004).

Hansson and Hurley-Depret (2007) produced the first publication to directly focus on the issues affecting trans individuals in Northern Ireland. They found that this '*largely invisible population*' faced many forms of bigotry and hostility due to their gender identity. The most common problems that trans people reported experiencing were harassment, abuse, bullying, discriminatory disciplinary sanctions at work, and marginalisation due to their gender identity. The high number of transphobic experiences experienced by respondents lead 75 per cent of interviewees to disagree/strongly disagree with the statement that 'Northern Ireland is a tolerant environment for LGBT people', with just 17 per cent of respondents agreeing.

The research revealed that respondents felt that the high occurrence of negative incidents experienced by many trans individuals was linked to a fundamental lack of knowledge within society about the issues associated with transgenderism, gender identity disorder (the formal medical diagnosis given to a male-bodied or female-bodied person who feels a strong identification with a different gender to that assigned to them at birth) and the 'transition process' (any combination of social, medical and legal steps that an individual takes to feel comfortable with their body and social

roles). The widespread ignorance that trans individuals perceive to exist within society leads many to live with a significant concern of how they are perceived by the community. Most respondents were therefore wary of living or being identified in their preferred gender in public. Negative experiences have therefore significantly impacted trans individuals' confidence in utilising public services and ability to feel safe in the public arena.

A comprehensive report by McIlroy (2009) has highlighted the situation of trans individuals in the Republic of Ireland. McIlroy states that:

“Trans people face various forms of social, economic, cultural and legal injustices and are subject to shaming, harassment, discrimination, and violence that negatively affects an individual's capacity to fully access and enjoy their rights as citizens.”
(2009: iv)

McIlroy (2009) states that there has been a severe lack of research into the issue of transphobia in the Republic of Ireland and its effects on the lives of trans individuals. McIlroy notes that the lack of research is *‘indicative of the silence that appears to allow such discrimination to continue’* (2009: 2), and advocates for the need for future research to study the experiences of harassment, discrimination and violence faced by trans individuals in Ireland.

Mayock and Bryan (2009) have also discussed the level of homophobic and transphobic violence in the Republic of Ireland. In a survey of 1,100 individuals, 4 per cent of whom identified as transgender (a total of 46), 80 per cent of trans participants had experienced verbal abuse/insults, 59 per cent had been threatened with physical violence, 39 per cent had been punched, kicked or beaten, 39 per cent were threatened to be ‘outed’, 17 per cent had been attacked sexually, and 15 per cent had been attacked with an implement/weapon. As has been reported elsewhere, transphobic violence in the Republic of Ireland has had negative repercussions on the mental well-being of trans individuals. Mayock and Bryan (2009) revealed that 87 per cent of

respondents felt depressed at some point in their life, 80 per cent had seriously thought about ending their lives and 40 per cent had self-harmed at least once.

While there has been limited research into the lives and experiences of trans individuals' living on the island of Ireland, it is clear from the research that has been conducted that trans persons in both Northern Ireland and the Republic of Ireland face persistent and pervasive harassment. Just as in the United States and in Great Britain, trans individuals' experiences are '*characterised by stigma and exclusion*' (Collins and Sheehan 2004: 3) in multiple domains, including at home, in the street, in the workplace, in education, and while accessing public services. Ultimately, these experiences negatively impact on the emotional, physical and psychological well-being of trans individuals leading some to feel isolated, depressed and suicidal.

Conclusion

The findings reported in this section by no means offer a definitive reality of the experiences of trans individuals, either in Northern Ireland or in other parts of the world. It is important to highlight that not every trans individual lives a life characterised by constant harassment, although, unfortunately, many do. Overall research from the United States, Great Britain and on the island of Ireland has focused on the negative experiences of trans individuals and such research has been vital in highlighting the prevalence and effects of transphobic harassment. Verbal abuse, physical violence, sexual assault, bullying and criminal damage are just some manifestations of transphobia that are experienced domestically, in public, at school, at work and while using public services. Research in Northern Ireland has also highlighted that persistent harassment can create a lack of confidence in interacting within the public domain and in utilising public services. The high level of transphobic harassment experienced by trans individuals in Northern Ireland, combined with the low levels of confidence among trans individuals of interacting with public bodies raises the question of how and to whom trans individuals report their experiences of transphobic incidents, and if levels of under-reporting

significantly impact the ability of the criminal justice system and other relevant statutory bodies to tackle transphobic hate crime.

3. Demographic Issues

This short chapter deals with demographic issues relating to Northern Ireland's trans population, including the numerical size and age range of the population, as well as a discussion surrounding community identity. These issues are discussed through both existing literature and also qualitative data gathered through interviews with trans persons and members of the LGB community.

Demographics of the Trans Population

Currently there is no validated estimate of the number of trans persons living in Northern Ireland. A recent report by the Gender Identity Research and Education Society (GIREs) has suggested that there is a '*rapid growth in the number of people who have presented for treatment in the UK*' and that the number of individuals presenting for treatment for gender identity dysphoria '*is doubling every five years*' (Reed et al. 2009a: 4). The authors of this report link this growth to better social, medical and legislative provisions for trans people. Utilising previously existing statistical data the authors estimate that the number of people who have *presented* with gender identity dysphoria in Northern Ireland is 8 per 100,000 people (aged 16 and over). Scaling this figure up would suggest that there is somewhere in the region of 120 individuals who have *presented* with gender identity dysphoria in Northern Ireland.¹¹ However, this estimate does not include people who have *not* presented and thus may be an underestimate.

ICR has neither been able to validate nor falsify the above estimate. However, through discussions with members of the various trans support groups – The Belfast Butterfly Club, The Oyster Group and The Purple Group – ICR received anecdotal information regarding the number of individuals involved with each group, either through direct participation in regular meetings or indirect participation through mailing lists. From this anecdotal information, ICR estimates that currently there are

¹¹ The Northern Ireland Statistics & Research Agency (NISRA) estimates that by 2008 Northern Ireland's population aged 16 and over would be 1,393,933.

between 140 – 160 individuals associated with the three main trans support groups in Northern Ireland.

However, it must be stressed that members of each support group suggested to ICR that there were many people who have not, or are unable to, come ‘out’ due to personal circumstances, i.e. family and/or work commitments. In line with this many trans individuals felt that issues, including awareness and confidence, also prevented people, who could perhaps benefit from the support of such organisations, from contacting said organisations. This is exemplified in the following comments from a focus group held with members of the Butterfly Club:

I think a lot of people, for a number of reasons, are afraid to come out...the Butterfly Club is well advertised but maybe not well enough for some people.

Another respondent added:

A lot of people don't know about it but even the ones that do know take about three years before they ring the helpline and another three years before they appear.

The figure of 140 – 160 trans individuals involved with trans support groups therefore represents the number of individuals who may be conceived as either partially or fully ‘out,’ but this is perhaps an underestimate of the total number of trans individuals that live in Northern Ireland.

Other anecdotal information suggests that there are an increasing number of younger individuals coming ‘out’ who are beginning to undergo their transition. Previously it had been common for individuals to start their transition between the years of 30-50, however, in recent years there has been a significant increase in the number of individuals starting their transition in their late teens and early twenties.¹² This

¹² For example a Spanish clinic recently performed a male-to-female sex-change operation on a 16-year-old (<http://www.guardian.co.uk/world/2010/jan/12/spanish-teenager-transsexual-operation> - accessed on 19/01/10).

corresponds with GIRES findings that greater social awareness and an increase in the availability of treatment has lead individuals to begin their transition at an earlier age, the result of which is a growing trans population (see Reed et al. 2009).

LGB & T

The issues that trans persons face are often closely connected, both in the public imagination and in organisational policy, with the lesbian, gay and bisexual (LGB) community, a reality that is embodied in the rubric 'LGBT', and the numerous organisations that embrace it. The LGBT banner has inevitably led some researchers in Northern Ireland to include the trans population in wider LGB studies (see QueerSpace 2002; Carolan and Redmond 2003; Breitenbach 2004). This is despite the fact that *'LGBT communities are not necessarily a cohesive group, and may not all see themselves as having a common identity or being part of a community of interest'* (Breitenbach 2004: 1). It can be said that LGB communities have an identity primarily based around sexual orientation, while trans persons have an identity focused around their gender expression. Undoubtedly there are similarities in the experiences of LGB communities and trans individuals, namely shared experiences of persistent harassment and a lack of confidence of reporting such harassment to the police, however, *'there are also differences between the groups'* (Whittle et al. 2008: 13) that service providers must be aware of. Research in Scotland has suggested that many trans individuals *'experience difficulties because of people making assumptions about sexual orientation and sexual expression'* (Laird and Aston 2003: 6).

The relatively clear identity between LGB communities and trans individuals, however, is confused by both the LGBT banner and the fact that some trans individuals may identify as lesbian, gay or bisexual. In Brighton, England, it was found that 47 per cent of trans individuals identified as lesbian, gay, bisexual or queer, 30 per cent as straight or heterosexual, and 30 per cent as other (Browne and Lim 2009). In Scotland 61 per cent of respondents self identified as either bisexual, queer,

pansexual,¹³ lesbian or gay, 34 per cent as straight or heterosexual, and 18 per cent were unsure of how to define their sexual orientation or did not want to define it¹⁴ (Scottish Transgender Alliance 2008). In the Republic of Ireland 59 per cent self-identified as lesbian, gay or bisexual, 30 per cent as ‘something else’, 7 per cent as heterosexual while 4 per cent were not sure (Mayock and Bryan 2009). Nevertheless, there are significant differences between the issues that face both the LGB communities and trans persons and therefore they should not be homogenised into a *‘generalised category (‘LGBT’) that erases the diversity of needs among LGBT people, generally, and minority [groups] such as trans...in particular’* (Browne and Lim 2009: 23).

The Northern Ireland Gay Rights Association has been fighting against discrimination and for law reform since the mid-1970s. Individuals and groups that participated in the gay rights movement sought to educate and promote tolerance within wider society of the gay community. This process has helped the LGB communities in Northern Ireland to gain a strong political voice, while events such as ‘Pride’ help build a positive public profile. In comparison there has been slow political mobilisation of the trans population in Northern Ireland. The trans population have therefore, until recently, remained relatively ‘hidden’ in Northern Ireland, with the few trans specific support groups that exist in Northern Ireland maintaining a low profile.¹⁵ Due in part to the infancy of the trans movement in Northern Ireland, trans individuals, LGB groups and public bodies have found it worthwhile to integrate trans issues into wider LGB political discourse, with benefits of belonging to a wider LGBT community lying in broader social, cultural and political gains (Brown and Lim 2009).

¹³ Pansexuality refers to people who *‘self-identify as experiencing romantic love and/or sexual attraction towards other people regardless of gender identity, gender expression or biological sex’* (Scottish Transgender Alliance 2008: 21).

¹⁴ The apparent discrepancy in the percentage figures is because *‘several respondents used more than one term to describe their sexual orientation’* (Transgender Scottish Alliance 2008: 10).

¹⁵ Three key support organisations exist in Northern Ireland, two of which are based in the Greater Belfast Area (The Oyster Group and The Belfast Butterfly Club) and the other is based in Derry/Londonderry (The Purple Group).

The homogenisation of both communities, into a monolithic 'LGBT' bloc, creates an impression of a united harmonious group, this, however, denies certain fractious elements that exist between the LGB and trans individuals. An issue that prevents wider interaction and participation of trans individuals in LGBT groups is the fact that many trans individuals are heterosexual and while they may not be homophobic, they might not necessarily wish to associate with the LGB community for fears of being perceived as gay, lesbian or bisexual and receiving the negative repercussions that this may bring. This relates to another serious issue, that is transphobia within the LGB community. In Brighton it was found that trans people were '*significantly more likely...to have experienced hate crime in an LGBT venue...than those who are not trans*' and that this could be '*explicitly vocalised transphobia*' (Browne and Lim 2009: 33). Another factor highlighted in the Brighton study was the fluid nature of trans identities. An individual may be gay before their transition, but in their post-transition identity they may self-identify as heterosexual and this '*can mean 'disqualification' from participating in LGBT scenes and communities, because these...[are] so strongly denied in terms of sexuality, rather than gender*' (Browne and Lim 2009: 35). Experiences of transphobia at Northern Irish LGB social events have been highlighted as a problem in preliminary discussions with trans individuals. Experiencing transphobia in a LGBT venue will have obvious negative repercussions and lead some to reject the label of LGBT and shy away from interacting with the LGB communities. However, such transphobia should not be seen as endemic in LGB communities but, as with all forms of transphobia, linked to a lack of awareness of trans issues.

Members of the trans population, that ICR spoke to, predominately stated that they did not feel as though the label 'LGBT' was appropriate as many did not see themselves as a part of an LGBT community. As a member of the Butterfly Club said:

Well I wouldn't feel part of the LGBT community. I would feel that it should be LGB & T. Rather than LGBT. T is just an add on really, generally for their own aims. We are a separate community, though our experiences are something similar.

Another member of the Butterfly Club explained that part of the reason why some trans individuals do not feel part of the LGB community was simply because:

We're not gay.

Although a member of the Oyster Group, that ICR spoke to, had stronger feelings on the issue:

There's an awful lot of transphobia amongst the gay community, a lot, and having delivered a few workshops on that last year I was surprised...They had no understanding of it at all, they just saw it as a different sexual preference...they're now doing what the heterosexuals did to them to the trans community, which is why the trans community is not always terribly terribly keen to be clunked then in with them.

This individual suggested that there is a lack of education about trans issues among the LGB community, which leads some LGB individuals to be transphobic, and draws parallels with the lack of education about LGB culture that leads straight individuals to be homophobic. Elaborating on this point through the recounting of an incident, the same respondent discussed the form of transphobia that could be experienced at an LGB venue:

I would never, never suggest physical [abuse] and I've never seen physical abuse but again it is the looks or the odd snide comment or giggling type of thing as well. I remember one night sitting in the [LGB bar in Belfast] with about four, five trans women who had actually gone right through the whole process and it was just people just, you could just feel their eyes burning into them, and I mean I actually had somebody said to me, "what are you sitting with that pack of?" And I went, "well because I happen to be one too!"

However, the relationship between trans individuals and those of the LGB community is complicated as the following interaction between two members of the Purple group suggests:

Respondent 1: *I find too that a lot of, as in gay men, would be transphobic, as in within the gay community. A lot of gay people are transphobic...It's quite annoying, it's upsetting because the LGB is the only sort of, the only ones you wanna be around for now because you feel if you're in the straight community it's like, well, I feel a bit odd here or whatever. But then in the gay community, you feel a lot happier because they're sorta like you but they're still very...*

Respondent 2: *Yeah, but, what you're saying is true but at the same time for me I am part of the LGB community anyway.*

In this discussion the first respondent, despite highlighting the prevalence of transphobia amongst 'gay people,' expresses a degree of affinity with the LGB community, stating that she feels comfortable socialising within an LGB environment, while the second respondent, although agreeing that transphobia does exist to a degree within the LGB community, emphasised that, as a self-identified lesbian trans woman, she is a member of the LGB community. In the eyes of these two respondents, then, there is a close relationship between some trans individuals and members of the LGB community, which is contradicted by experiencing transphobia from LGB individuals, especially gay men. In line with this view a member of the Butterfly Club, commenting generally on the relationship between the LGB community and T population, said:

T has been an add on but in saying that, only for the lesbian and gay movement in Northern Ireland there would have been no T movement...so here is T movement here tonight but it's because of the L and G movement that we can sit here...Back in the early 1980s...we hitched onto...their tails of their shirts...and got there and swung through the doors and sneaked in behind them and we owe an awful lot to the lesbian

and gay movement in Northern Ireland because...only for them the transgender community would never have come off.

There is, thus, some ambivalence towards the LGB community from trans persons. Whilst some feel a part of the LGB community other trans individuals do not, with some even feeling resentment of the LGBT banner. This is in part because, as was suggested in a discussion with a trans individual and a member of the LGB community, that the 'T' in 'LGBT' stands for 'tokenism,' and that the 'T' is often included for funding reasons rather than anything else. However, many members of the LGB community and trans individuals *do* actively participate and support trans activities through 'LGBT' groups.

Conclusion

ICR estimates that currently there are between 140 – 160 individuals associated with the three main trans support groups in Northern Ireland. With technology enabling greater access to information and anonymous social networking (see Whittle 1998), as well as better medical and legislative provisions for trans individuals (Reed et al. 2009a), the number of trans persons in Northern Ireland looks set to grow. While ICR is not able to offer conclusive evidence for this, anecdotal information suggests that currently the trans population in Northern Ireland is undergoing a demographic shift with the mean age of Northern Ireland's trans population falling. This points to an increasing need to ensure that a robust support service is in place to help trans individuals, especially younger trans individuals who may be at an increased risk of bullying and harassment in schools, colleges and universities.

It was also found that many trans individuals view the LGBT banner as a reductionist attempt to 'tick all the boxes', and one which belies the fundamental differences between the issues surrounding sexual orientation and gender identity. It was suggested that the label 'LGB&T' is more appropriate as it symbolised the similarities, but also the differences between individuals who identify as either 'LGB' or 'T.'

4. Transphobic Hate Crime in Northern Ireland

In the past decade, following the publication of the Macpherson report in 1999,¹⁶ ‘hate crime’ has become a commonly used label to describe various types of victimisation that is motivated by a definable characteristic of the victim. Hate crimes are *‘now widely accepted as significant social problems and are prioritised within research and policy agendas to a much greater extent than ever before’* (Chakraborti and Garland 2009: 2). The importance of recognising hate crimes as a special form of crime relates not only to the *‘increased detrimental impact’* (Turner et al. 2009) the incident has on the victim but also the wider societal implications that such a crime may have. For example, an individual who is physically assaulted by an unknown assailant specifically because of their race/ethnicity/disability/sexual orientation/gender identity may perhaps be physically, emotionally and/or psychologically scarred by the incident. However, the perception that such a crime was committed *solely* due to the individual’s race/ethnicity/disability/sexual orientation/gender identity may also *‘create a sense of apprehension, vulnerability and tension among all members of that particular community’* (Chakraborti and Garland 2009: 14). In this sense hate crime *‘is seen as an instrument of intimidation and control’* (Perry 2001: 2), a symbolic enactment of hate, that impacts upon the *‘perceptions of safety for other members of the community or people who belong to the victim’s identity category’* (Turner et al. 2009: 4). Turner et al. (2009: 4) state that this *‘impact will be exacerbated if the crime is not acted upon by the authorities as members of that group will implicitly feel that the...sentiment is condoned.’*

Recent enactments of hate crime legislation in the UK,¹⁷ and concurrent criminal justice policy developments,¹⁸ *‘rightly point to the increased recognition now afforded to traditionally marginalised and vulnerable minorities’* (Chakraborti and Garland 2009: 3). In Northern Ireland there have been developments in the mechanisms used to record hate crime, the procedures used to respond to and tackle

¹⁶ The Macpherson report was an inquiry into the flawed police investigation of the murder of the black teenager Stephen Lawrence in 1993.

¹⁷ See Criminal Justice Act 2003 and Criminal Justice (No 2) (Northern Ireland) Order 2004.

¹⁸ See CPS (2007); Home Office (2009); Home Office and ACPO (2005).

hate crime, as well as attempts to increase public awareness, through posters, billboards and high visibility media campaigns, of the insidious nature of hate crime (see chapter 7 for further details). Despite this increased recognition '*[l]arge numbers of people who experience hate crime do not report these crimes to the police*' (Home Office 2009: 9; see PSNI 2006 and Turner et al. 2009). The reasons for high levels of under-reporting are multifarious, and although some reasons are specific to certain communities,¹⁹ many of the reasons why an individual does not report a hate crime are similar regardless of their community background, including:

'a poor understanding among victims about what constitutes a hate crime, how to report a hate crime and what the criminal justice system can do about hate crime...[Under-reporting] can equally reflect victims' negative perception of the criminal justice system, either because of their own experiences or what they have heard of the experiences of others' (Home Office 2009: 9)

The effect of under-reporting is multifaceted, with the immediate result being that the '*perpetrators are not brought to justice and so remain potentially able to reoffend*' (Home Office 2009: 9). While reporting a crime primarily contributes to the identification, arrest and/or prosecution of perpetrators of hate crime, a secondary benefit is that it allows the police to monitor community tension, by enabling them to identify patterns of behaviour and crime hotspots. This can help the police to '*target resources more effectively to reduce the incidence of hate crime and to promote safer communities*' (Leicestershire Constabulary 2005: 7). The point is made clear by Loudes and Paradis (2007: 10), who state:

'the consequence of under-reporting homophobic and transphobic incidents is that the issue of violence targeting LGBT people remains invisible. It remains invisible in data on hate crimes and therefore invisible among law enforcement officials, law-makers and public officials. The lack of data on cases of violence against LGBT

¹⁹ For example, some members of minority ethnic groups may have had a negative experience with police in their country of origin, while member of the LGB community may fear being 'outed' (CJINI 2007; Home Office 2009).

people limits the ability to highlight the extent of this type of violence, while lack of information about where and when incidents tend to take place restricts the possibility of preventing occurrences of homophobic and transphobic violence'

Thus, the increased recognition that the Government and the police attribute to the importance of tackling discrimination and prejudice enacted against minority communities and vulnerable individuals is counter-posed by various socio-cultural factors that reduces the level of hate crime that is reported, and therefore negates the ability of the police to tackle hate crime.

Recording and Clearing Hate Crime in Northern Ireland

The PSNI began publishing statistics on racial incidents in 1995/96 and have also published statistics on homophobic hate crime incidents since 2001/02 (CJINI 2007). The introduction of the Northern Ireland hate crime legislation²⁰ led the PSNI to expand recorded categories of hate crime in 2005/06 to include incidents and crimes that were committed against an individual due to their faith/religion, and those with sectarian or disability motivation. In 2006/07 the PSNI continued its expansion of hate crime categories to include transphobic hate incidents and crimes, following the revised version of the Home Office Police Standards Unit and the Association of Chief Police Officers (ACPO) hate crime guidance manual (Home Office and ACPO 2005). The PSNI's approach to hate crime is embodied in their Policy Directive 20/06 (PSNI 2006).

The PSNI, like all criminal justice agencies in the United Kingdom, have adopted the ACPO definition of hate incidents as '*any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate*' (Home Office and ACPO 2005: 9). A transphobic incident or crime is therefore recorded if the incident is '*perceived by the victim or any other person as being motivated by transphobic prejudice or hate*'. Transphobic incidents may or may not constitute a criminal offence, and therefore not all incidents

²⁰ Criminal Justice (No 2) (Northern Ireland) Order 2004.

that are reported to the PSNI will result in the recording of a crime. Recorded crimes, sometimes referred to as notifiable offences, are therefore incidents that are deemed to be indictable or triable by the PSNI. It is important to note that transphobic motivated crimes are included within the incident figure and that it is possible for more than one crime to be recorded in a single incident (NISRA 2008). The recording of both transphobic hate incidents and crimes is useful as *‘if we consider hate “occurrences” as opposed to just crimes per se, the scale of the problem...becomes much more sizable than we may initially have imagined’* (Chakraborti and Garland 2009: 8). The relevance then of recording both hate incidents and crimes, as opposed to just recording hate crimes, is that it better reflects, to a degree, the overall ‘occurrences’ of hate incidents experienced by minority communities.

Clearances, or detections as they may alternatively be known, are, broadly speaking, crimes that have been ‘cleared up’, by the PSNI and are counted on the basis of crimes rather than offenders²¹. A clearance will be recorded whether there is a formal sanction²² or not²³. However, stricter Home Office regulations mean that:

virtually all clearances resulting in ‘no further police action’ (i.e. non sanction clearances) could no longer be claimed as a valid clearance...This means that the PSNI overall clearance rate and its sanction clearance rate are now virtually one and the same (NISRA 2008: 4)

The PSNI have over the years continued to develop their mechanisms for recording crime to ensure that the data collected are both reliable and accurate, this includes *‘effective reporting processes on the type and occurrence of hate crime’* (CJINI 2007:

²¹ *‘For example, if six offenders are involved in a robbery and are all arrested and charged, then this counts as one clearance. Alternatively if only one of the six is identified and charged while the other five remain unidentified and go free, this also counts as one clearance’* (NISRA 2008).

²² Formal sanctions include: charging or issuing a summons to an offender; issuing a caution to the offender; having the offence accepted for consideration in court; or, the offender is a juvenile who is dealt with by means of an informed warning or restorative caution.

²³ Clearances that do not include a formal sanction, or non sanction clearances, may be due to following reasons: the offender, victim or essential witness is dead or too ill; the victim refuses or is unable to give evidence; the offender is under the age of criminal responsibility; the PSNI or Public Prosecution Service decides that no useful purpose would be served by proceeding; or, the time limit of six months for commencing prosecution has been exceeded.

19). A hate incident, as discussed above, will be recorded if the incident that has occurred is perceived by the victim or the witness as being motivated by prejudice or hate, evidence is not needed as perception is all that is needed. This definition in theory means that a hate incident will not go un-recorded if it is reported to the PSNI as a hate crime by the victim or a witness. In interviews with all the PSNI officers that ICR spoke to each strongly rejected the possibility of a hate crime being *reported* to the PSNI and it going *un-recorded*. However, in an interview with a member from another statutory agency who works closely on issues of hate crime stated that they knew of occasions when incidents had been reported to the PSNI and they had not been recorded. When a hate incident is reported and an individual officer decides not to record it, it is known as a form of institutional under-reporting. It is not possible to know the extent to which institutional under-reporting exists in the PSNI, but it is clear from the PSNI'S Policy Directive (2006: 3) that institutional under-reporting is strongly denounced:

'Police officers cannot decide whether or not to record or investigate a hate incident or crime because there appears to be no evidence to support a perception. Police Officers will accept the perception-based view of the victim or any other person. This sends out a strong message that police will treat victims of hate crime seriously and will conduct thorough and objective investigations'

The PSNI's decision to record and publish the levels of reported transphobic incidents and hate crime, and the number that have been cleared, has made it possible to illuminate the scale and nature of transphobic hate crime in Northern Ireland.

The Scale and Nature of Transphobic Hate Crime in Northern Ireland

Transphobic incidents and crimes have consistently been the numerically lowest form of hate category recorded by the PSNI (see NISRA 2007; NISRA 2008; NISRA 2009). It is important to note that the number of transphobic incidents and crimes *recorded* do not necessarily reflect the number of transphobic incidents and crimes *experienced*, due to the probable levels of high under-reporting (Loudes and Paradis

2007; Reed et al. 2008). Despite the relatively low number of transphobic incidents and crimes that have been recorded, an exploration of the available data highlights some interesting dynamics of the scale and nature of transphobic hate crime. It is also relevant to highlight that while the number recorded is small in relation to other categories of hate crime, the size of the transgender community is also small in relation to other communities that may experience hate incidents and crimes.

Table 1 – Incidents and Crimes with a Transphobic Motivation by Year

Year	Total number of incidents	Total number of crimes	Total number of crimes cleared	Clearance rate (%)	Change in % points
2006/07	32	14	-	-	-
2007/08	7	4	-	-	-
2008/09	10	2	1	50.0	+50.0
Total	49	20	1	5%	-

(Source: PSNI Central Statistics Branch)

Table 1 (above) shows the number of both transphobic incidents and crimes that have been recorded by the PSNI between 2006 and 2009. In 2006/07 the PSNI were able to establish a baseline measure for the number of *recorded* transphobic incidents and crimes that took place across Northern Ireland. In total thirty-two transphobic incidents were recorded during 2006/07, fourteen of which were deemed to be indictable by the PSNI. None of the transphobic crimes that were recorded in 2006/07 were cleared.

In 2007/08 the number of transphobic incidents recorded dropped significantly from thirty-two to just seven, twenty-five fewer than in 2006/07. The total number of transphobic crimes in 2007/08 was four, ten fewer than had been recorded in the preceding year. Once again no transphobic crimes were cleared during 2007/08.

In 2008/09 the total number of transphobic incidents recorded rose slightly to ten, three more than were recorded during 2007/08. Despite the increase in the total number of transphobic incidents that were recorded the number of transphobic crimes that were recorded fell once again, with the number of the latter decreasing from four in 2007/08 to two in 2008/09. None of the crimes that were committed in 2008/09 were cleared by the PSNI, although one offence of intimidation/harassment from 2007/08 was cleared during 2008/09.

Overall, the total number of transphobic incidents that have been recorded between 2006 and 2009 is forty-nine. These forty-nine incidents involved twenty crimes. Of the twenty transphobic crimes only one was cleared by the PSNI. Compared to the baseline measure set in 2006/07 the number of recorded transphobic incidents recorded has dropped by twenty-two and the number of transphobic crimes recorded has dropped by twelve in 2008/09. Vincent et al. (2009: 15), in their discussion of disability hate crime, noted:

‘similar uneven patterns of increase and decline, were noted in the first few years of recording both racist and homophobic incidents in Northern Ireland. In both cases figures have subsequently increased significantly’

It would therefore not be unexpected if the number of transphobic hate incidents reported to the PSNI increased in the coming years. However, the fall in number of recorded transphobic incidents suggests one of two things: either, the level of transphobic incidents *experienced* by trans individuals has fallen, or, the level of transphobic incidents *reported* to the PSNI have dropped. Findings from a survey conducted by ICR (see Appendix 1 and 2), however, would suggest that it is the latter rather than the former that accounts for the drop in recorded levels of transphobic incidents. Fifteen of the eighteen survey respondents reported experiencing some form of transphobic incident. In total these fifteen respondents reported experiencing forty-one transphobic incidents in the past twelve months, a further forty-six transphobic incidents in the last one to five years, and seventeen transphobic incidents six years or more ago. Considering this small sample of Northern Ireland’s trans population

reported experiencing forty-one transphobic experiences in the past twelve months and only forty-nine transphobic incidents have been recorded between 2006 and 2009 by the PSNI, it would be possible to suggest that there currently exists very high levels of under-reporting of transphobic incidents.²⁴

Table 2 – Incidents and Crimes with a Transphobic Motivation by District

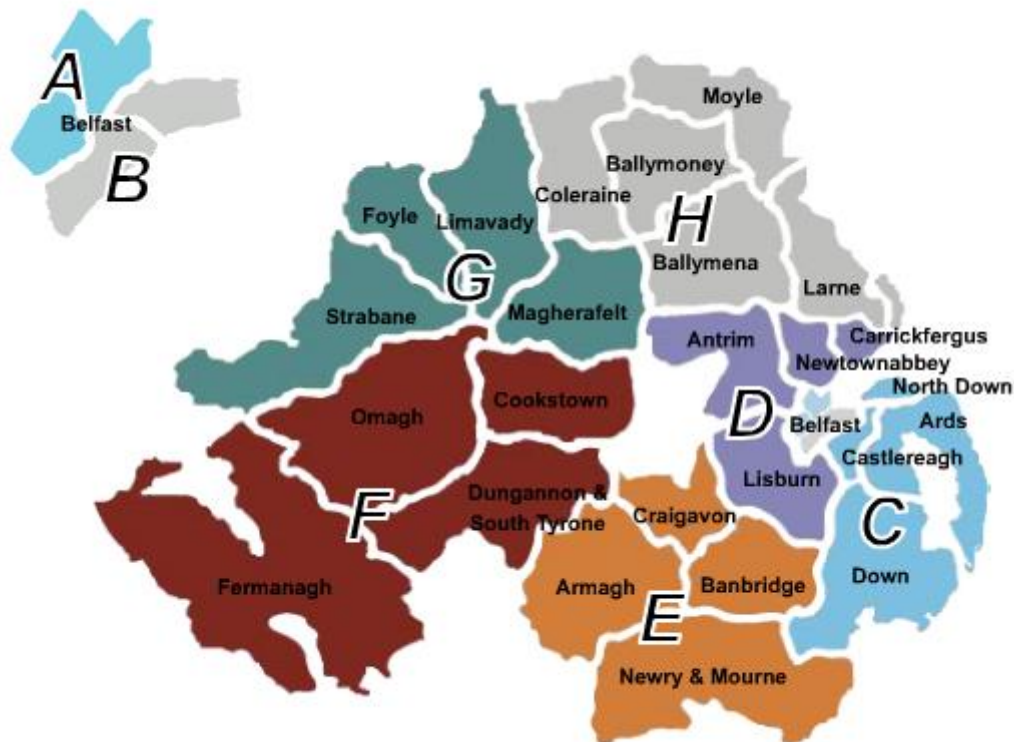
District	2006/07		2007/08		2008/09		Total	
	No. of	No. of	No. of	No. of	No. of	No. of	No. of	No. of
	Incidents	Crimes	Incidents	Crimes	Incidents	Crimes	Incidents	Crimes
A	-	-	1	1	1	-	2	1
B	2	1	-	-	1	1	3	2
C	26	8	3	2	-	-	29	10
D	1	-	-	-	-	-	1	-
E	-	-	-	-	-	-	-	-
F	1	4	-	-	1	1	2	5
G	-	-	-	-	1	-	1	-
H	2	1	3	1	6	-	11	2
Total	32	14	7	4	10	2	49	20

(Source: PSNI Central Statistics Branch)

Table 2 (above) indicates the number of transphobic incidents and crimes that have been recorded within each of the eight district areas of Northern Ireland. In 2006/07 the majority of the incidents, twenty-six in total, were recorded in C District, twenty-four of which were recorded in North Down and one each in Castlereagh and Down. Two incidents were recorded in B District, one each in East Belfast and South Belfast, two incidents were also recorded in Coleraine (H District), and one each in Antrim (D District), and Omagh (F District). Fourteen transphobic crimes were recorded in total in 2006/07. Eight crimes were recorded in C District, seven of which were in North Down and one in Down, four in Omagh and one each in South Belfast and Coleraine.

²⁴ In a discussion with members of the Oyster Group regarding the level of transphobic incidents recorded by the PSNI between 2006 and 2009 (a total of forty-nine) one member of the group remarked that she herself could have reported over forty incidents in the last year.

The data from Omagh stands out as although there was only one transphobic incident, four crimes were recorded; this is because, as stated above, it is possible for more than one crime to be recorded in a single incident.



Map of Northern Ireland's policing districts (from 1st April 2007)

In 2007/08 seven transphobic incidents were recorded. Three incidents each were recorded in North Down (C District) and Coleraine (H District), while one incident was also recorded in North Belfast (A District). Two transphobic crimes were recorded in North Down and one each in Coleraine and North Belfast.

In 2008/09 a total of ten transphobic incidents were recorded. Six of the transphobic incidents were recorded in Coleraine (H District), and one each was noted as having taken place in North Belfast (A District), South Belfast (B District), Fermanagh (F District) and Foyle (G District). One transphobic crime was recorded each in Fermanagh and South Belfast.

Overall, C District has the highest total number of transphobic incidents (twenty-nine) and crimes (nine) recorded between 2006 and 2009, the majority of which occurred in North Down. This is considerably more than has been recorded in H District, which has the second highest number of transphobic incidents recorded, eleven. All of the incidents recorded in H District took place in Coleraine. Notably, however, there has been a dramatic year on year decrease in both the number of transphobic incidents and crimes that have been recorded in C District between 2006 and 2009, with the number of transphobic incidents and crimes falling from twenty-four incidents and seven crimes in 2006/07 to no incidents or crimes in 2008/09. The reason for this significant decrease was discussed with the Hate Incident Minority Liaison Officer (HIMLO) of North Down, who explained that the reduction in the recorded crime was linked directly to experiences of one person.²⁵ The woman in question, who had completed her transition, lived in a street that served as a throughway for youths. The large number of young people who utilised the throughway led to a number of incidents that were perceived to be transphobic in nature, this included verbal abuse and things being thrown at the house. As part of a wider police initiative to reduce anti-social behaviour the enacted measures that meant youths did not pass through the individual's street and thus reduced the possibility for transphobic incidents to occur. This series of events highlights a number of important points. First, it shows how, at this current time, the experiences of a single individual can lead to a significant increase and/or decrease in the number of transphobic incidents recorded by the PSNI. Second, it reveals the vulnerability of trans individuals in and around their own homes. Finally, it suggests that hate crime committed by youths may be persistent and have serious consequences but be amenable through strategic planning and thinking.

Coleraine (H District), which had the second highest total number of transphobic incidents recorded between 2006 and 2009, unlike in C District, has seen a year on year increase in the number of transphobic incidents recorded. In 2006/07 two transphobic incidents were recorded, three the following year and six incidents

²⁵ ICR contacted this individual in order to see if she would be willing to share her experiences, however, she declined the offer and therefore the recounting of events is from the perspective of the PSNI officer involved and not the victim themselves.

recorded in 2008/09. Of these eleven incidents only two involved crimes. Once again discussions with the local HIMLO suggested that this figure related to the experiences of one individual.

F District had the second highest number of transphobic crimes recorded, five in total between 2006 and 2009. However, it is important to note four of these crimes were recorded in 2006 and relate to a single incident that occurred in Omagh.

E District (Armagh, Banbridge, Craigavon and Newry and Mourne) stands out as the only police district across Northern Ireland that did not have a single transphobic incident or crime recorded between 2006 and 2009.

Table 3 – Classification of Recorded ‘Incidents Only’ with a Transphobic Motivation

Type of Incident	2006/07	2007/08	2008/09	Total
Verbal Abuse	6	2	3	11
Nuisance Behaviour	15	1	3	19
Malicious Communications	0	0	2	2
Total	21	3	8	32

(Source: PSNI Central Statistics Branch)

Table 3 reveals the classification of transphobic ‘*incidents only*’ recorded by the PSNI. The total number of transphobic incidents recorded between 2006 and 2009 was thirty-two, which are categorised as verbal abuse, nuisance behaviour or malicious communications. It should be noted that the incident types given above are not the Home Office National Standard for Incident Recording (NSIR) classifications, which are spread across nine broad themes. The streamline classifications have been chosen by the PSNI as they are deemed to be more useful in identifying trends of transphobic incidents (personal communication with a member of the PSNI Central Statistics Unit).

Nuisance Behaviour, which includes harassment, intimidation or ‘criminal damage’,²⁶ was the most common form of transphobic incident, with nineteen being recorded between 2006 and 2009, followed by verbal abuse, which accounted for eleven of the transphobic incidents between 2006 and 2009, while malicious communications, which includes mail, e-mail and telephone calls, was the least common form of transphobic incident with just two being recorded between 2006 and 2009.

Comparing the recorded level of transphobic incidents with findings from ICR’s survey is difficult due to possible inconsistencies with how the PSNI classify an incident and how individuals subjectively categorise their experiences. However, it is interesting to note that survey respondents reported eleven incidents of being verbally assaulted or threatened in the past twelve months alone, the same number that was recorded in total between 2006 and 2009. Three respondents also stated that they received hate or abusive mail and received offensive or obscene phone-calls in the past twelve months, while only two forms of malicious communication were recorded in between 2008 and 2009 by the PSNI. Both these findings could point to an under-reporting of transphobic incidents in Northern Ireland.

²⁶ ‘Criminal damage’ is included as a form of nuisance behaviour if it ‘*falls short of a recordable crime*’ (personal communication with a member of the PSNI Central Statistics Unit).

Table 4 – Classification of Recorded Crimes with a Transphobic Motivation

Type of Crime	2006/07	2007/08	2008/09	Total
Murder	-	-	-	-
Manslaughter	-	-	-	-
Attempted murder	-	-	-	-
Threat / conspiracy to murder	-	-	-	-
All woundings / assault ²⁷	2	1	1	4
Intimidation / harassment	-	1	-	1
Robbery	-	-	-	-
Other violent crime	-	-	-	-
Burglary	-	-	-	-
Theft	-	-	-	-
Criminal damage	12	2	1	15
Total	14	4	2	20

(Source: PSNI Central Statistics Branch)

Table 4 indicates the classification of transphobic crimes that have been recorded by the PSNI. Overall there has been a total of twenty transphobic crimes recorded between 2006 and 2009. Of these, fifteen have been classified as criminal damage, four have been wounding/assault, and one has been intimidation/harassment. No recorded transphobic crimes have been within the categories of murder, manslaughter, attempted murder, threat or conspiracy to murder, robbery, other violent crime, burglary or theft.

The level of criminal damage experienced by victims of transphobic hate crime, while primarily relating to events that occurred in 2006/07, reveals two important aspects of the nature of transphobic crimes. First, criminal damage often occurs in and around the home and may include attacks on personal property, such as damaging a car or smashing the windows of someone's home; it can also include graffiti, such as writing

²⁷ Includes the categories of wounding with intent / GBH with intent, wounding / GBH, common assault / aggravated assault and assault on police.

prejudicial slurs, the drawing of symbolic signs (e.g. a swastika), and non-symbolic graffiti (e.g. throwing a paint 'bomb' at a home) (Jacobs and Potter 1998). While Jacobs and Potter (1998: 84) refer to graffiti and vandalism as a '*low-level*' crime, the fact that it occurs in and around the home means that it can have profound emotional and psychological effects, including creating anxiety about one's safety at one's home. Graffiti and/or vandalism is also often highly visible, as it is often the exterior of a property that is written or sprayed on, and if a car is damaged or a window is broken they can be viewed from the street. If the graffiti is of an anti-trans prejudicial slur this may result in the individual being 'outed' to their neighbours and community. This is a vital point, as many trans individuals, especially transsexual people, rely on their ability to 'blend' to remain safe as '*visible members of the trans population are more likely to experience transphobic harassment by strangers*' (Turner et al. 2009: 8). Not only this but '*low-level*' hate incidents can often lead to more serious types of incidents (PSNI 2006).

A second related facet of transphobic hate crime that can be drawn from the level of criminal damage relates to clearance rates. As stated above only one out of the twenty recorded transphobic crimes was 'cleared' by the PSNI between 2006 and 2009. In discussions with a PSNI officer he stated how criminal damage often occurred in the 'dead of night' and that on most occasions there is no witness to such crimes. The lack of witnesses makes it difficult to pursue the case as there are no immediate lines of inquiry. It is unsurprising then that none of these crimes have been cleared. However, the apparent inability of the PSNI to 'solve' an incident of criminal damage may have led some individuals not to report a similar incident in the future as '*[c]rucial to anyone reporting any hate crime is confidence that the police will take it seriously and take appropriate action*' (Turner et al 2009: 23). Although, as discussed above if such crimes go un-recorded and persist, it negates the possibility of the PSNI catching the perpetrator and means the crime remains invisible to law enforcement officials, law-makers and public officials. If on the other hand such crimes are reported the PSNI can use this data about where and when incidents are taking place to inform future policing strategies in the area.

Woundings and assaults were the second highest form of transphobic hate crime that have been recorded between 2006 and 2009. Although the number of recorded incidents of woundings and assaults is relatively low, four, any such incident can have serious individual and communal consequences. While a physical wounding or assault will result in a degree of physical, emotional and/or psychological injury to the victim, the effects will also reverberate among the trans population. The relatively small size of the trans population, and the various communication networks that exist within it, mean that the news of a serious incident, such as a physical assault, will easily spread throughout the entire community. The failure to bring anyone to justice for any of the four crimes that have been recorded will ultimately reflect badly on the PSNI and could hamper relations between trans individuals and the PSNI. Moran and Sharpe raised a similar point in their research among trans individuals in Australia, finding *‘that low expectations of an arrest, flowing from a complaint, would affect willingness to report’* and that lack of ‘clearances’ affected *‘perceptions about the limits of capacity of the police to provide speedy and adequate safety and security services’* (2002: 278).

Conclusion

The levels of transphobic incidents and crimes that were recorded between 2006 and 2009 seem to be relatively low in comparison to other categories of hate crime. To what extent these levels of *recorded* transphobic crime accurately reflect the level of *experienced* transphobic hate crime is open to debate. This is because research has suggested that transphobic hate crime, like many other forms of hate crime, is under-reported. Under-reporting may have long-lasting detrimental social effects, including preventing police from apprehending perpetrators who thus remain free to reoffend; it veils the plight of the trans population from statutory agencies, which limits their ability to strategically respond to transphobic crime; low levels of *recorded* transphobic hate crime may also mean that transphobic hate crime is not taken as seriously by statutory agencies as other categories of hate crime, such as racism and homophobia that are numerically higher in occurrence. This final point is in part due to the importance of crime statistics as a research tool and source of information for

statutory agencies in tackling crime (see Home Office 2006); however, in the case of transphobic hate crime the levels of *recorded* incidents and crimes should be viewed in light of the fact that the trans population is relatively small in size. It is then vital that the PSNI, and other organisations, when presenting or discussing the levels of transphobic hate crime, do so with care and sensitivity to ensure that the number of crimes *recorded* are kept in context with the size of the community.

Analysis of the available transphobic hate crime statistics found that the most common form of *recorded* transphobic hate crime was criminal damage; this suggests that trans individuals are particularly vulnerable to attacks on their personal property and around their homes. Comparing PSNI statistics with findings from a survey conducted by ICR suggests that transphobic incidents are under-reported. Only one *recorded* transphobic crime has been ‘cleared’ by the PSNI. This appears to be directly related to the fact that fifteen of the twenty recorded crimes were of criminal damage, the nature of which makes it difficult to investigate. Nevertheless, the apparent inability and/or failure of the PSNI to bring perpetrators to justice may taint trans persons’ views of the PSNI and be interpreted by some as a sign that the PSNI do not investigate transphobic hate crimes to the best of their ability, and, worse, reflect transphobia within the PSNI, which may lead to under-reporting. It was also found that the experiences of one individual can have a major impact on the levels of *recorded* transphobic crime.

The statistics published by the PSNI are useful in highlighting some of the key dynamics in the nature and scale of transphobic hate crime in Northern Ireland. However, in order to have a clearer understanding of whether these *recorded* levels of transphobic hate crime match the level of *experienced* transphobic crime it is necessary to talk to trans individuals themselves; and, it is to this we turn our attention in the next chapter.

5. Experiences of Trans Individuals

The voices of trans individuals in Northern Ireland regarding their experiences of transphobic incidents and their interactions with statutory agencies, including the PSNI, have remained relatively silent over the years. By conducting a number of focus groups and semi-structured interviews with trans persons, and by analysing survey findings,²⁸ ICR were able to gain an insight into some of the key issues that impact on the quality of life of trans individuals living in Northern Ireland.

Safety Issues

Survey respondents reported having a high level of concern regarding individual safety with five out of eighteen survey respondents stating that they ‘always’ worry about their safety, while seven said that they ‘frequently’ worry, four declared that they ‘sometimes’ worry with just two respondents ‘rarely’ worrying. No survey respondents stated ‘never’ worrying about their safety (see Appendix 2). Within the interviews and focus groups conducted by ICR respondents revealed that their perceptions of their own general safety in public spaces related to multiple factors, including visibility and environmental conditions, with many respondents expressing significant feelings of vulnerability. This had led some trans individuals, that we spoke to, to develop strategies for ensuring that they felt safe, as this member of the Butterfly Club reveals:

Tend to stick as close as possible to the car as I can, which is why I was giving off about having to walk 300 yards. I mean it has nothing to do with the walk, it's just the vulnerability. Because when I was walking along there tonight there was all sorts of guys walking about on their own and in groups of two and so. And they're coming up behind you...It is just the vulnerability, that you're on your own after dark and you're perceived to be probably an easy target.

²⁸ See ‘Methodology’ section in the ‘Introduction’ for further details regarding the number of focus groups and interviews that were held, and the recruitment process that ICR used, as well as information regarding the creation and dissemination of the survey.

The night time, for this individual, brings with it feelings of anxiety, so much so that she felt uncomfortable having to park '300 yards' from the venue in which the focus group was held. This individual's fears were echoed by respondents to ICR's online survey, with six out of the eighteen stating that they felt 'very unsafe' in the streets generally at night. Other members of the Butterfly Club expressed different feelings of vulnerability with one member stated feeling unsafe during the day in her residential area:

I have walked in my street at night, but I wouldn't do it in the day.

Another individual only feels safe when there is little chance of seeing anybody:

I am safe here now...but for me to go out from my own home and to feel confident it has to be 4 am when there is nobody about, nobody sees me and I am comfortable.

For this individual visibility brings with it a heightened sense of danger to such an extent that they resort to only leaving their home in the early hours of the morning in her female persona. However, this precaution is not possible for every trans individual, as for transsexual people who have completed, or are undergoing, their transition it is virtually impossible not to leave the house during the day time. Daylight brings with it not only an increase in visibility but also everyday occurrences that can become challenging to face, as this member of Oyster group highlights:

Regarding the school wee'ins, it is ok between the period they are in school. After that it is a nightmare. With the taxi drivers if they don't have a fare and it is nice warm and they are sitting outside. Basically up the city centre it is any given day. Like in the summer time when it is still quite warm and after the school wee'ins are out of school and they congregate outside the city hall and that, is also a nightmare.

For this individual, who lives in Belfast and only recently started her transition, the time of day and even the weather can impact how safe she feels going out in public. Her activities are impacted by the fact that a large number of school children are about

at specific times of the day, which makes her anxious when using public transport or passing through areas where they may assemble, due to possible harassment she may face. Seven of the eighteen survey respondents stated feeling ‘quite unsafe’ in the streets generally during the day; although eight respondents revealed they felt ‘quite safe’ while two declared feeling ‘very safe.’ Therefore, not everyone who has undergone, or is undergoing, their transition, and to whom ICR spoke to, share the same levels of anxiety, with many feeling confident to be themselves in the area in which they lived:

I feel very safe in Derry.

While an individual at a different focus group contrasted their confidence level of the city they live in to another city:

I feel happier and safer in Derry than I would in Belfast.

Regarding feeling safe in public another individual stated:

Every Saturday I’m in the shopping centres in Ballymena...Yeah sometimes you may have trouble once in a blue moon. But I’m ok in Belfast on a Saturday night, I’ve been out in Belfast every Saturday night, this last year especially.

This individual, who went through her transition over ten years ago, felt safe any time of the day, in any type of venue and in different cities. This is despite having experienced difficulties in the past, which she put this down to her own confidence:

You have to have the confidence yourself to be yourself, it’s really the first thing you have [to have]...I don’t care like, if you know what I mean, I go out and be myself.

Perceptions of safety may then vary from person to person and also depend on the environment the individual is in. As the previous respondent highlighted, perceptions of safety are to an extent dependent on one’s own subjective feelings of confidence,

however, it is also intimately linked to one's perceived ability to 'pass,' and whether one 'blends' into society, as the following conversation between members of the Purple Group suggests:

Respondent 1: *It's different for people who are passable and people who aren't. Cause if you can get on alright and be passable then everything is fine. But you would get abuse from men if you weren't passable.*

Respondent 2: *Well that's true.*

These two individuals clearly state that trans individuals are more vulnerable if they are not 'passable,' that is if their gender expression is not deemed authentic by members of the public, especially men. Another respondent, a male trans individual, agrees that the ability to pass is fundamental to one's safety but that it is more difficult for some trans persons than others:

Absolutely, I mean the more you pass obviously the easier it is for you, particularly when it comes from male to female, I mean they have such a hard time.

This interviewee highlights that female trans individuals may find it harder to pass and therefore may be more vulnerable than male trans individuals. One member of the Butterfly Club believed that passing is intimately connected to the general public's awareness of trans issues:

It is about passing, it is about being accepted in public. Let's be very honest, we in the transgender community have to, you are dealing with people who are not fully aware where we are coming from so you have to try and act...when you are out in public you have a responsibility to try to act and behave as normal as possible and not bring the public eyes upon you...generally people in the public feel, and it is a very common belief, that we are weirdoes.

This individual felt strongly that there is generally not enough public awareness of trans issues, a sentiment that was widely expressed by almost everyone ICR spoke to. However, this particular individual felt that this lack of awareness placed the burden on the trans persons to ‘*behave as normal as possible*’ in order not to bring attention to themselves. Another insight gained from the above comment is that the perceived general lack of awareness of trans issues leads to negative myths about trans individuals, as in this case that they are ‘weirdoes.’ Another individual reported an incident in which she received verbal abuse in which another myth was expressed:

I think it was something like, we got “paedophile” shouted at us and that type of thing. Just after [name of public representative].

This individual was called a ‘paedophile’ because she was perceived to be a trans individual. She directly linked this to comments made by a public representative who had called being gay “*an abomination*” and compared gay people to murderers and paedophiles just a couple of weeks earlier. This example reveals that politicians and other members of society can influence the views of the wider public in relation to trans issues due to the general lack of awareness regarding said issues. The existence and proliferation of such myths impact on trans individuals’ feelings of safety, as they can never be sure of how they will be perceived by the public. Returning to the individual quoted above who felt vulnerable walking alone at night, they stated this was because:

You don’t know what’s going happen so you just have to hope that they don’t read you from behind, basically.

Being ‘read,’ or in other words being perceived to be a trans individual, for this member of the Butterfly Club brings with it the fear of the repercussions of being perceived to be trans by members of the public, which may include harassment and abuse. This fear of being read in public arenas leads many trans individuals, whom ICR spoke to, to have a major concern regarding the availability of safe spaces for trans individuals to frequent. A sentiment shared by the large majority of interviewees

was the importance of having both public and private venues in which members of each group felt safe to meet, as this member of the Butterfly Club expressed:

I think we are just careful where we go and who we go with. I mean there are just certain places I just wouldn't dream of going. You know, down market bars.

The importance of carefully selecting the choice of venue is clear from the following participant's comment:

To walk out of here and walk down to the [city centre bar in Derry Londonderry] and go and order a pint dressed as who I am, I am taking my life in my hands.

Choice of venue then is closely linked to the perception of the type of clientele attracted to it:

There are places I would not go to...I would not go dressed like this to McDonalds because there are a lot of kids around and stuff like that.

A number of individuals we spoke to *did* feel safe going to many public places including shops, restaurants, theatres and bars, although these tended to be venues that they frequented on a regular basis. This was reflected in survey findings that revealed that seven survey respondents felt either 'very safe' or 'quite safe' in bars/restaurants generally, while a further seven respondents reported feeling 'quite unsafe' in such venues.

A final point regarding safety, relates to the wider social circle of trans individuals. A number of respondents expressed a concern that their friends and family could be targeted due to their gender identity.²⁹ This concern, that friends and family may be subjected to abuse and harassment due to one's gender identity, has led some

²⁹ ICR did not hear any specific stories of family members or friends of trans individuals being the victims of transphobic incidents. However, ICR did not explicitly ask any questions regarding such incidents. Future research would therefore be advised to explicitly seek to find out whether friends and family members of trans individuals had been the victim of transphobic incidents.

individuals to enact protective measure to ensure that their family are not harassed or abused. One common measure was simply to move out of their family home, and even their home town. If a friend and/or family member of a trans person is harassed or abused due to their relationship with a trans identified person this would constitute a transphobic incident, as defined by the PSNI.³⁰ However, this may not be explicitly evident to the victim and thus the incident may not be reported and/or recorded as a transphobic incident.

Overall, trans individuals' feelings of safety in public areas, whom ICR spoke to, predominately revolved around issues of visibility and the ability to pass or blend into society. Whilst many individuals felt confident frequenting public venues, this was often due to careful consideration of the location and the types of people who they may encounter in such places. Feelings of unease were linked to the belief that the general public lacked awareness of trans issues, which lead to myths that would justify harassment. Safety concerns were often also linked to the individual's past experiences of transphobic incidents. There were also concerns that one's gender identity could make friends and/or family members a victim of transphobia.

Experiences of transphobic incidents

Unfortunately, only a minority of the trans individuals whom ICR had spoke to *had not* directly experienced what they would describe as a transphobic incident. Although, within discussions with the few individuals who had not experienced a transphobic incident they claimed to know someone, directly or indirectly, that had. The high frequency of experiencing transphobic incidents was reflected in the survey results that revealed that thirteen of the eighteen respondents stated that 'yes' they had suffered from a transphobic incident, with just three saying 'no' they had not.³¹ The types of transphobic incidents experienced varied, and ranged from verbal abuse to being followed in a car to actual physical violence. Below are just some examples of

³⁰ The PSNI define a transphobic incident if the incident is '*perceived by the victim or any other person as being motivated by transphobic prejudice or hate.*'

³¹ One respondent stated 'unsure' to this question, while another respondent skipped the question.

the transphobic incidents that trans individuals were generous enough to recount to ICR.

Asked their perception of what constituted transphobia, and thus a transphobic incident, one member of the Butterfly Club said:

Transphobia is someone who has read who you are and starts giving you abuse, whether it be verbal abuse or physical abuse, in any form even if it is just name calling or I suppose at the least form it would be laughing and jeering, which we do get quite regularly.

Verbal abuse was consistently reported to ICR as a regular occurrence in the lives of respondents, and came in many forms from snide comments about one's appearance to overtly abusive and confrontational slurs. This was reinforced by survey respondents, with thirteen of the fifteen respondents that reported experiencing a transphobic incident stating that they had been either verbally insulted or threatened in their lifetime. Discussing the forms of transphobic incidents that she encounters one member of the Purple Group stated:

It's mostly verbal...On one occasion I had one person come right up into my face and shout "man, you're a man!" And just walked on, as if I was bothered about what people thought. Even the other day someone walked by me, and, just like, walking by and went right up into my face "poof!" And then just walked on. I don't know some people are just very ignorant.

Another individual at the same focus group added that she would hear:

Names like "oh there's Miss man coming." You know, and "there's another tranny."

Respondents mostly received verbal abuse from complete strangers and it could occur anywhere, even in places where trans individuals expect to be safe from harassment:

I was standing outside the [LGB bar in Belfast] having a smoke next thing I know I got verbal from a group of youths walking by the bar.

Receiving verbal abuse, like one's feelings of safety, is often linked to one's ability to pass, with members of the public, commonly adolescent or young males, feeling they have the right to interrogate an individual due to their gender presentation:

A while later something else happened...a crowd of fellas came up and started grabbing us, like, and pushing us against a wall saying, you know, "what are you?"

While this female trans individual, and her friends, were confronted in the street, even utilising a public venue, such as a restaurant, can leave a trans person open to verbal abuse:

I was out with a friend having lunch and, erm, she knew a few people in the bar...she went to the toilet and they came over to me and said "Hey faggot", you know, "want to suck my cock?" And I said "er no". "What you got between your legs faggot?" And erm I just said "nothing that you would want anyway!"

This individual who was enjoying a meal with a friend, once isolated became a target for other customers that left her '*physically shaken*'. Enclosed in the bar this person had little choice but to respond to their comments and accusations. However, predominately the trans individuals ICR spoke to would turn a blind eye to strangers who laugh, sneer or make rude comments:

We just ignore that. And generally if we are out somewhere and you get a bit of laughing, carrying on when you go in, generally after a few minutes it just dies down and [the other customers] carry on with their own business. We can't react to it.

This strategy of ignoring the comments and offensive behaviour of strangers is primarily to prevent a confrontation and possibly further harassment or abusive behaviour, however, a common sentiment among respondents was that such

comments were so frequent that they were simply used to hearing it,³² although the familiarity with such abuse does not make receiving it any less hurtful. A member of the Purple Group stated:

More often than not transphobic situations can be defused if you take yourself in a light hearted way. But you shouldn't have to do that.

While respondents suggested tactics for diffusing possible confrontations, sometimes it is out of their control and verbal abuse can be the start of further transphobic abuse:

When I am walking through the housing estate I get names shouted at me, stuff like that there and also...I was walking down the [name] Road past a shop and I got a bottle thrown at me as well as abuse.

This woman was walking in the street when she was subjected to abuse and had a projectile thrown at her. Such incidents do not seem uncommon as eight of the fifteen survey respondents who reported experiencing a transphobic incident stated that they have had something thrown at them. Another individual reported similar behaviour, however, she was in the privacy of her own car:

I was driving around in my car and a young fella and his girlfriend were in the car beside me and he read me. It's amazing, his reaction was to lean out the window and shout abuse...He followed me from the M2 right across Belfast, up the Ravenhill Road to East Belfast, which is where I was going. I would pull away from him but he would catch me up at the lights every time. And about the second or third set of lights he started throwing stones or coins at my car. And I obviously drove faster until I got to where I was going.

Here we see how a young male on perceiving this individual as trans proceeded to not only verbally abuse the individual, but also follow her by car 'across Belfast.' This

³² In ICR survey one respondent stated a reason that they would not report a crime or would be reluctant to do so was because transphobia is just a fact of life and not worth reporting.

led to a dangerous situation in which the individual increased her driving speed in an attempt to get away from the other motorist, while also being attacked with projectiles. Being followed by a car was also reported by five of the fifteen survey respondents who have experienced a transphobic incident. Other incidents regarding being followed by car were reported during focus groups:

I remember (name of person) telling me that she was followed by a guy in a van, and he actually, she was trying to get away from him, and he ended up trying to run her off the road. And only a bit of luck, and good driving probably, enabled her to get away from him

Another individual at the same focus group stated:

I remember one night travelling around the countryside to lose this car for twenty minutes before I would decide it was safe enough for me to go home.

Being followed by car is thus not only dangerous but can impact one's feelings of safety, as the individual may not want to lead their pursuer to the location to which they are travelling. This creates anxiety and may lead the victim to forget important information, as one respondent highlights:

I didn't even get the car number in my panic.

So far both forms of transphobic incidents discussed, verbal abuse and being harassed by being followed by car, have involved the direct interaction between victim and perpetrator. Some of the other transphobic incidents recounted to ICR were less direct. Indeed, four of the fifteen survey respondents who had experienced a transphobic incident reported receiving hate or abusive mail, while three had received offensive or obscene phone-calls. A member of the Oyster Group reported receiving malicious communications over the internet on a social networking website:

Last year I had an internet transphobic attack...E-mails within like Bebo, sorta idea.

Members of the Butterfly Club recounted an incident of criminal damage that occurred whilst on a training weekend. On the first evening just after the group had arrived:

[A group of] youngsters came to the door looking information about where the community centre was. Obviously they knew they had just come to door to see what they could see.

The following morning the individual staying in the room next door to the group:

Came to our door and said "your tyres have been slashed as well." So he lost four tyres, didn't he? I lost two, you lost one... I think (name of person) lost three.

Ten tyres in total were slashed during this incident that occurred in the middle of the night. Whilst there was no direct evidence, the victim blamed the 'youngsters' who knocked at the door 'to see what they could see' for committing the crime. This was because the youths had identified them as trans and would have known that the cars outside their accommodation were likely to belong to them. Thus, even the individual who was staying next door to the group, who was not trans, was targeted simply because his vehicle was in the vicinity. Such incidents do not appear to be uncommon as a total of six survey respondents that had experienced a transphobic incident cited having their vehicle or other property vandalized. This highlights the vulnerability of trans individuals to anonymous harassment if where they are staying, or live, is discovered by individuals inclined to abuse trans individuals. This is exemplified by another form of criminal damage, graffiti. Two of the fifteen survey respondents that had experienced a transphobic incident reported having had offensive graffiti written about them, the possible negative effects of which are detailed in an incident that was recounted second hand to ICR by members of the Butterfly Club:

Respondent 1: This particular person was getting a lot of bother with graffiti and people gathering outside the house and what not, and the person eventually had to move. And it affected her greatly, depression and things like that.

Respondent 2: *She did attempt suicide, didn't she?*

Respondent 1: *She did.*

Respondent 3: *And what did they write on her [wall], 'child molester' they put on her [wall], and they totally went for her and she ended up in hospital and she lost her flat and her possessions and everything. It took her quite a time to come out of it.*

This account of an incident by three members of the Butterfly Club regarding a fellow member's transphobic experiences highlights a number of points. First, we see that trans individuals may be particularly vulnerable at their home.³³ If one is 'read' and the location of one's home discovered a trans individual may become targeted with graffiti of abusive slurs or intimidated by groups of people gathering outside one's home. Second, we see another myth about trans individuals due to lack of awareness of trans issues, in this case the individual was accused of being a 'child molester' simply because she was read as trans. Indeed as someone stated:

It's automatically assumed that you're a child molester...just because [of how] you're dressed.

The fact that this myth was written on an individual's home means that it was widely communicated to anyone who passed her home. This in turn may have led to further harassment and abuse due to the strong social stigma attached to paedophiles in Northern Irish society. Thirdly, and intimately linked to the first two points, is that transphobic incidents can have a serious impact on the emotional and psychological well-being of victims. In the incident recounted above we are told that the individual suffered acute mental distress that led to a suicide attempt and hospitalisation, which in turn led to the individual losing her home and possessions. Other individuals we spoke to discussed the negative impact that transphobic incidents had on their

³³ Survey findings revealed that five respondents felt 'very safe' in their home, eleven felt 'quite safe', while two individuals reported feeling 'quite unsafe.' No respondents reported feeling 'very unsafe.' Three respondents also stated that they had experienced a transphobic incident at home.

emotional and psychological well-being, with some experiencing anxiety, depression, panic attacks, and attempting to take their life. While health issues were not discussed in full such emotional and psychological problems were in part linked to, by the respondents themselves, experiencing transphobic incidents. Indeed, out of the fifteen respondents that reported a transphobic incident eleven stated that they experienced stress and fear; five had suffered mental health issues; and, four reported having nightmares.

Transphobic incidents can also cause direct physical harm. Five of the fifteen survey respondents that had experienced a transphobic incident reported attempts of physical assaults against them, while four respondents cited being actually physically assaulted. Four respondents stated that they had been sexually assaulted. Only a small number of incidents of actual physical abuse were mentioned in focus groups and interviews, with ICR hearing second hand about one attack that left a trans individual severely hurt, while another told of a close escape:

I went to the shop and I came out and there were four boys with hurley bats standing beside the jeep. And I knew they were for me. There were four of them, four young boys. They were strangers....The only mistake I made was probably not going back into the shop...I had to go four mile to get rid of them.

However, one interviewee did share her experience of being physically attacked because of her gender identity:

Well it started off because I was confused with being someone else, another trans person. But it still shouldn't have happened. And some fella started hitting me... and ripped out my hair extensions.

This incident occurred in the street, with the victim being attacked in a case of mistaken identity, which left her physically marked:

I think I was cut plus...I was all bruised on my head.

Transphobic incidents may thus occur in the street, whilst one is in a car, at one's home or even over the internet and can be experienced as verbal abuse, intimidation, harassment, criminal damage or through physical abuse. In line with this survey respondents reporting experiencing transphobic incidents in a wide variety of places, the most common of which were in the street near their home, in a general bar or restaurant and in the street elsewhere (each were reported by seven of the fourteen respondents who answered the question). Experiencing a transphobic incident can affect one's feelings of safety and also negatively impact one's emotional, physical and psychological well-being.

Demographics of Perpetrators

During the course of the research ICR gathered anecdotal information regarding the demographics of perpetrators that committed transphobic incidents. Whilst abuse and harassment was received by respondents from a wide range of individuals including both men and women, young and old, interviewees disproportionally stated the involvement of young males in transphobic incidents, specifically males in their teenage years and twenties. Survey respondents reinforced this view as nine respondents stated that the perpetrators of transphobic incidents they had experienced had been male, while six stated that both male and females had been perpetrators. In regards to age of perpetrators, six survey respondents said that they suffered transphobic harassment and/or abuse from individuals who were under-16; twelve stated that persons aged 16-25 had been the perpetrators; while eleven respondents had suffered transphobic harassment and/or abuse from people over 25. Whilst these findings are not conclusive, it does suggest that there is a need to raise greater awareness among young males living in Northern Ireland of trans issues, either through school education programmes or targeted activities through community groups and/or youth organisations in order to curb the level of transphobia among young males.

Survey respondents were also asked if they knew their perpetrators, twelve of the fourteen respondents who answered this question said it was someone who they had

never seen before; six reported other local residents as the perpetrators; while five stated that it was their neighbours. This suggests that while transphobic incidents are commonly enacted by anonymous strangers, a high proportion of perpetrators live in close proximity to the victim.

Experiences of reporting transphobic incidents to the PSNI

Experiences of reporting transphobic incidents to the police varied considerably among respondents with some having had positive interactions with members of the PSNI, while others stated receiving a negative response from officers when they reported an incident. Some individuals described having a strong apprehension about interacting with the police that may prevent them from reporting an incident. The individual's level of satisfaction of the police's response was connected both to the inter-personal interaction between victim and member(s) of the PSNI and also the outcome of the police's investigation. The variance of views expressed in focus groups and interviews were to a certain extent mirrored in survey findings. Nine survey respondents stated that they *had* reported an incident to the police, the majority of whom (six) reported the incident directly at a police station either immediately after or some time later the incident had occurred. Of these nine individuals two³⁴ stated that they were 'very satisfied', three said they were 'fairly dissatisfied', while four expressed being 'very dissatisfied' with how police handled the matter. The possible reasons for feeling satisfaction or dissatisfaction at how the police dealt with one's case was elaborated upon in focus groups and interviews.

Returning to the transphobic incident, discussed above, that occurred in a bar when a woman undergoing her transition was verbally abused after her friend had left to use the bathroom facilities, she continued her narrative by saying:

³⁴ Ten respondents answered the question '*How satisfied were you with the way the police handled matter?*' despite only nine respondents stating that they had reported a transphobic to the police. Closer analysis of the results revealed that one respondent stated they had never reported a transphobic incident yet said they were very satisfied with how the police handled the matter. This case was thus seen as invalid and is not included in the figure quoted in the main text.

I was a wee bit hurt by that...So I said I would like to report this to the police because I am hurting and shaken [to her friend]...So we went to the [name] police station, we reported it.

This individual had stated she had received verbal abuse before but this was the first time she reported such an incident, partially because of the hurt it had caused her. After being asked how the police responded to her, the interviewee replied:

The first thing I was asked was obviously name and where I was living, my address, contact number if they needed me, and also whether I would like to be seen by a female officer or a male officer. And I thought that was really nice...and I was extremely happy with their help because they were very thorough.

A major aspect of the positivity this individual felt regarding her interaction with the police was linked to her being asked whether she would like to be seen by a female or a male officer. This relatively simple question was seen to be ‘nice’ because it showed that the attending police officer did not make any assumptions in relation to her gender identity. The police also appeared to be thorough in their initial investigation which made her ‘extremely happy.’ Regarding the outcome of the case, she said:

Apparently a few days later...one of the guys who was there was picked up and he was on that charge as well as another charge...I felt justice was done because you know he was charged for incitement for hatred...and he was charged with something else as well. I thought that was good.

The fact that one of the individuals who had verbally abused this individual was charged in relation to the incident, made her feel ‘justice’ was done and increased her level of satisfaction. Discussing the involvement of the HIMLO in the case, the respondent stated:

He didn’t come to see me or contact me or whatever. But I didn’t mind about that because I felt justice was done...I think in hindsight it probably would have been

[good] if the minority liaison officer hadda came because they could have learned [something about trans issues].

On this occasion the individual did not mind that there was no direct interaction between herself and the HIMLO because, in her eyes, the case had been resolved. However, on reflection she suggested that contact could have been beneficial for the HIMLO as he would have had an opportunity to engage with a trans individual. While the HIMLO was not involved the police had informed this individual of the progress of her case, this was the experience of five survey respondents who were also contacted and told how the police had proceeded with their case after reporting an incident. Asked to elaborate on why she decided to report this incident, when in the past she had not, she said:

I didn't want it to happen to another trans person...It has to be nipped in the bud, it has to be, you know.

Here we see the individual is aware of the importance of reporting a transphobic incident, as she highlights that by reporting the incident she may prevent someone else suffering a similar fate. Returning to the incident, discussed above, when members of the Butterfly Club had their vehicles damaged, the police were called and:

When the police arrived I spoke to them first of all and told them I considered this to be a transphobic crime. And they took the details of everyone, it was a male and female officer and gave us hand with the cars...So they helped us putting the wheels in the police car and our friend's car and went to [town name] to get the tyres changed. So they were very helpful...They were professional, they were sympathetic and they didn't raise any problems anything like that, they didn't make fun or whatever they just took at face value really.

On this occasion a difficult situation was made easier for these members of the Butterfly Club as the police acted in a professional and sensitive manner. However, it

is important to note that the respondent made a point in highlighting that ‘*they didn’t make fun,*’ suggesting that this occasion was different from ones in the past when this individual had experienced the police making fun of her. Continuing to recount the response of the PSNI, she said:

And about a week later I got a call and you got a call from the liaison officer from (name of police DCU), first of all, he was sympathetic on the phone but I’ll always remember the first thing he said on the phone “I don’t know how to deal with you.” So obviously they didn’t have the training then.

Unlike the previous incident, outlined above, this individual was contacted by the local HIMLO and whilst complimenting him on his manner, stating that ‘*he was sympathetic,*’ she was critical that this individual had no understanding of how to handle her case, which she suggested was due to a lack of training. The police officer on this occasion was upfront about his lack of knowledge. However, a lack of training and information can lead to misconceptions, and some trans individuals, that ICR spoke to, revealed experiences with the police which were both discriminatory and insensitive as this comment from a member of the Butterfly Club points out:

I would say a lot of the younger police officers would have a different manner, whereas the older ones just are about ten or fifteen years behind in attitude really. I’ve been stopped at check points a few times and when it has been older ones, and when you’re driving off you can see them laughing and getting on. I have noticed with the younger ones that hasn’t happened.

Another individual also highlighted the differences between the ‘older’ and ‘newer’ generation of police officers as a problem:

I think a lot of the old attitude is still there...as newer people come along, the older people pass that attitude down so it’s going to take quite a while [before attitudes change].

This male member of the Oyster Group suggests that although new police officers are more open minded, the close minded nature and negative attitudes of older PSNI officers are being inherited by the new generation. Such negative attitudes may lead to occurrences when police officers insult trans individuals, such as the following:

I went to the police station before for something else [a non-transphobic incident]. They were very, they look at you, they laugh at you, you know even, when I went in for something else not about transphobia or anything they just see you as something completely different from everyone else and they're the ones who are meant to be helping you.

Another respondent at the same focus group added:

They laughed at me one day in there...the last thing you want when you're going to give a statement about something that happened is to have the people at door laughing at you and calling you the wrong pronoun.

Being laughed at in any situation can cause hurt, while use of the pronoun can be distressing for trans persons as it rejects that individual's subjective gender identity. Indeed, eight survey respondents stated a reason that they did not report or were reluctant to report an incident to the police was because they were worried that the police would respond in a transphobic manner or because they thought it would not be taken seriously or be laughed at. As the above comment suggests, being laughed at or intentional use of the wrong pronoun by an officer when an individual has suffered a transphobic incident, may heighten the distress experienced, especially because '*they're the ones who are meant to be helping you.*' Such experiences left these two members of the Purple Group feeling that:

The police don't really actually care.

And that:

They don't exert their effort in finding the perpetrator.

This last comment relates to transphobic incident, recounted above, of physical abuse that left a member of the Purple Group with a cut and a bruise on her head. When the individual in question reported this incident to the police she did not feel it was handled thoroughly, despite giving a full description and first name of the perpetrator:

They haven't really been bothered to look for the person and I seen that same person about five times since then drinking in the bar across the road from the police station.

The lack of a conviction in this individual's case combined with a perceived lack of willingness of the PSNI to attempt to find the perpetrator had a major impact on this person's views of the police. The negative perception fostered by this individual is perhaps also shared by the four survey respondents who reported that they heard nothing from the police since they had reported an incident. While ICR is not in a position to comment whether or not this individual's case, or anyone else's, was thoroughly investigated by the PSNI, it is important to note the victim perceived that it was *not* investigated as well as it could have been. This sentiment was shared by another woman who said that she had reported seven transphobic incidents to the PSNI, none of which she felt were dealt with satisfactorily. In fact, doubts were raised whether or not the police had actually recorded some of the incidents:

The Housing Executive wrote to the police to see if they have any evidence [of the transphobic incidents] and the police wrote back to the Housing Executive saying there is nothing, no...documents.

Questions regarding whether or not the incidents that she was reporting to the PSNI were recorded lead this individual to take precautions:

Of late I have started taking the police officer's name and their badge number and also station.

This individual has continued to report transphobic incidents to the PSNI despite feeling let down by the police's initial response to her reports and also having questions over whether her reports had actually been recorded. However, she decided to document the relevant information, including the incident number, in order to have proof she did report the incident. Other respondents, such as the two members of the Purple Group laughed at by members of the PSNI, quoted above, however, were less inclined to report an incident to the police if they had received a negative response:

There was a couple of things I never bothered actually going to police, when I have been told to go to the police. Even (name of person) has advised me about a few things that have been going on recently, I says "what's the point?" I says "before they didn't want to know, what's the point in doing it now?"

This individual felt so hurt by the inappropriate reaction she had received in a police station that she has been left feeling that there is no point going to the police ever again, even if she is advised to do so. Survey respondents reflected this view as six respondents stated that a reason they did not report an incident or were reluctant to do so was because they did not feel that the police would be interested; six respondents also said they did not feel the police could help. The importance of the close mutual support network trans individuals give each other means that, just as trans individuals felt the older generation of police officers may pass on their prejudice to new PSNI officers, trans individuals may pass on their prejudice against the police to one another, as this member of the Oyster Group explained regarding the advice other trans individuals may give her in relation to reporting a transphobic incident:

Well they would encourage [me to report an incident] but they also could tell me the outcome as well...[that] you're wasting your time, because either the police don't want to know because there is not enough, from my knowledge, there's not enough manpower to cover transphobic issues.

This reveals that even if one trans individual has a negative experience with the PSNI it can have reverberations among the rest of the trans population. Negative

experiences with the police thus have a have a long lasting effect on the individual, and may taint an individual's perception of the PSNI for a long time:

It must have been ten years ago...I was going to my father's [home]...and I was held up for an hour and searched because of the way I was dressed.

Since her first experience with the police whilst undergoing her transition this woman has had several negative interactions with the police including being told to 'go put something more respectable on' and an incident that occurred recently:

I was stopped six weeks ago coming down...to Belfast on a Saturday night, and everyone was deferred to [inaudible name] roundabout, you know, and everyone was pulled in. I told him my name was (name of person), and he just simply didn't believe it. He told me he wasn't going to put that into the computer. I pulled out the paper work and showed him my name and he had to settle down.

Experiencing numerous negative interactions with members of the police has left this particular individual to feel that 'the police has no understanding [of trans issues].' Indeed, two survey respondents stated that a previous poor relationship with the police was a reason why they had not reported an incident or had been reluctant to do so. Although the interviewee, quoted above, recognised that the police were changing, this interviewee, like the majority of respondents that ICR spoke to she, felt:

The police have to get more education.

A female member of the Oyster Group responded to being asked why she felt employees of statutory agencies called her by the wrong pronoun:

I think the simple answer to that is that there is not enough education.

Despite having had positive interactions with the PSNI a member of the Butterfly Club stated:

I think the police themselves still need a lot of training...I know there is some training in relation to homophobic, or the gay community, I don't think there is any in relation to ourselves...There are similarities maybe in the type of crime, but there is a different aspect to it for the police to deal with us. Because, a police person dealing with us as we are dressed now, is totally different if they were dealing with a gay man or a gay woman.

The perceived lack of education and/or appropriate training is thus seen by the majority of trans persons that ICR spoke to be at the root of the negative response they receive by the police. However, some even questioned whether training would actually make a difference:

If...[the police] maybe have had received training they may basically change their stand point on it, but their underlying opinions still shine through.

This member of the Butterfly Club expressed a view that training may not in fact alter the underlying prejudice that some members of the PSNI may have of trans individuals. However, as the previous respondent highlighted training could be useful for improving the professional manner and the procedures officers use when interacting with trans individuals.

Whilst many trans individuals ICR spoke to stated that previous negative interactions with the police gave them concerns about interacting with them in the future and has prevented them from reporting transphobic incidents to the PSNI, there are other possible reasons why an individual may not report a transphobic incident. Some individuals that ICR spoke to expressed feeling incidents were too trivial³⁵ to report or did not report an incident because they did not feel they had enough information to give to the police:

³⁵ Three survey respondents cited that they did not report an incident or had been reluctant to do so because they felt it had been too trivial to do so.

But it was an incident where we should have reported [it] but if the police woulda come they [the perpetrators] woulda been away so what, what could be done?

Some individuals, however, had reasons for not reporting an incident of a different nature. Recounting a transphobic incident that one member of the Butterfly Club experienced lead to the following discussion:

Respondent 1: *The initial reaction is [that] you should be phoning the police, but then by phoning the police we feel that we are opening ourselves up to...*

Respondent 2: *More exposure...*

Respondent 1: *More exposure, yeah, more exposure and that stops us [reporting to the police].*

Members of the Butterfly Club, unlike members of the Oyster Group and Purple Group that ICR spoke to, live part time in a gender role other than the one they were assigned to at birth. This can lead to complications whilst dealing with the police as the name they use whilst in their alternative persona and their gender presentation may not match the official documentation that they carry. Continuing the narrative regarding the incident when members of the Butterfly Club had their tyres slashed and contacted the PSNI, one individual said:

One of the problems we had in that situation was, I mean usually we use femme names and we are anonymous in the club here, we're anonymous in our other identities. But in that occasion we obviously had to give our real names and addresses, and personal details and all the rest of it, which is awkward enough especially when you're standing there dressed as a woman. Your other identity is incongruent with that. It is the same when we are out and are stopped by the traffic police or whoever, police check points, dressed as a woman, and up until very recently, when they had shone the torch in my face [they called me] sir. And that is actually quite rude and it is deliberately rude and obviously you present your driving

license its a male identity and the, its, you do feel degraded a wee bit in a situation like that, you know they know what you are but they still insist on telling you. And that has been my experience universally up until the past two or three years, and it has been the practice, not that it happens very often, but it has been the practice just to say nothing, you know, just to speak to you and not use any epithets, like sir or madam.

This statement highlights the difficulty that individuals who live part time in a gender role other than the one they were assigned to at birth may encounter when interacting with the police, either whilst reporting a crime or in another situation. It also reveals that this individual has seen a change in the approach of PSNI officers and feels that they have stopped attempting to degrade her by pointing out the incongruence in her gender presentation and legal gender. Similar experiences were expressed by some members of the Purple Group who felt that some police did not behave sensitively enough around issues such as names or use of pronouns (discussed above). However, while most of the trans individuals that ICR spoke to were out to the wider community and relatively comfortable interacting in their preferred gender identity, some were not:

No, I am not completely [out] yet. My wife doesn't know I [cross] dress. I couldn't explain why the police contacted me [if I reported a transphobic incident].

Discussing individuals who may contact the Butterfly Club's helpline in relation to a transphobic incident, one member stated:

Generally they would say they do not want the police [to be] contacted because they're worried about the exposure that that might bring.

Some transphobic crime may then go unreported due to the fact some trans individuals are not out and do not wish to be exposed to the wider community. However, only one survey respondent cited that they did not want to be 'outed' as a reason for not reporting an incident to the police. Another reason why transphobic

incidents may go unreported is due to the time consuming nature of reporting an incident to the PSNI. Some respondents stated that it simply was not worth the time and energy it took to go to a police station to report a low-level transphobic incident such as name calling in the street, as they occur so frequently and the police can often do little about it. This feeling, that it was not worth the time and energy, was exacerbated if the individual felt they were likely to receive a negative reaction from the police officers they were reporting it to. In regards to this, more effort should therefore be made to communicate the benefits of reporting transphobic incidents online, as a relatively quick process that can be conducted within one's home and does not involve interacting with the police. Finally, it must also be remembered that trans individuals have a community background like every other member of Northern Irish society and may have interacted with the police before they began their transition. Negative views of the police, and thus an inhibition to report transphobic incidents, may also stem from factors unrelated to one's trans status.

A final issue that arose around discussions about trans persons' experiences with the PSNI is that none of the three trans support groups that ICR spoke to – The Belfast Butterfly Club, The Oyster Group and The Purple Group – *currently* have any level of either official or unofficial channels of engagement with the PSNI, although some individuals from these support groups do have contact with the PSNI. However, in the past there had been greater levels of engagement between the PSNI and trans support groups, as a member of the Butterfly Club who lives in Derry Londonderry highlights:

We have done some work with the local police, back quite a few years ago.

Asked if future engagement with the local police was a possibility, the same respondent replied:

Yes, we would be quite happy to invite them along again.

Discussing a conference, 'Transgender Symmetry,' that the Butterfly Club held in Belfast, during 2007, one of the organisers said:

The conference well, it was a great success. We had people from health, the police, university and places like that.

This conference, the first of its kind to be held in Northern Ireland, was seen as a great way for the Butterfly Club to reach out to statutory agencies and other relevant organisations to highlight the work of the Butterfly Club and also to increase awareness of trans issues through presentations and workshops. The conference was relatively well attended by the PSNI, although the organisers expressed discontent with the political response:

Well we invited every single MLA and we invited every single councillor from Belfast, Lisburn and Derry, where our three locations are, and we got apologies from about half a dozen out of that 200 people and, er, the Alliance Party sent two representatives. Even Sinn Féin didn't send anybody.

The Butterfly Club had wished to continue to hold conferences either annually or bi-annually but has since been constricted by financial constraints and restricted in terms of staff, as the organisation currently operates on a voluntary basis and has no paid staff. The members still hope to be able to organise another conference within the next couple of years, but the likelihood of this is dependent on securing external funding. Whilst the Butterfly Club is attempting to expand its operations and have greater interaction with statutory bodies, at this moment there seems to be little attempt from the PSNI, or other statutory agencies, to engage with them. This true for the other support groups also.

Members of the Purple Group, that ICR spoke to, have only had communication with the PSNI whilst reporting a crime. The organisation itself has no official lines of contact with the police, except through The Rainbow Project. However, as we have seen some of the members of the Purple Group have had, in their eyes, very negative interactions with local police, so much so that they have lost confidence in the police and as a result not reported transphobic incidents that have occurred. Interaction,

especially if initiated by the PSNI, between local police and members of the Purple Group could help to overcome these issues to a degree.

Previous interaction between the PSNI and members of the Oyster Group was certainly seen by respondents as positive and had increased confidence among the group to report incidents. However, the initial positive engagement soon died off when the officer, who had been described as the driving force of the engagement, was allocated a new role in the PSNI. Since this officer's disengagement with the group, due to a change in his role, no one has since filled the void, which has been detrimental to levels of confidence among some members of the Oyster Group, as some of the staff of the Gender Identity Clinic in Belfast (to which the Oyster Group is affiliated) stated:

I think one of the reasons why people...[were] reporting...is because the PSNI with our support group worked very well together and there's one particular Inspector and he was moved on and he actually came along to the support group...and he certainly worked very well... I think they felt more confident because they knew who to report it to.

Another member of staff added, regarding this officer changing post:

My impression is since then...[members of the group are] more reluctant [to report incidents] again because I think that link was made but it wasn't sustained.

While another suggested:

I think what happened was...[the officer] took a great interest [in the group] and maybe after he left it's sort of fallen by the wayside again a bit.

One individual stated:

I think a regular liaison, the PSNI with groups like our group, like Rainbow, like Purple, I think that would be very important.

In the eyes of the health professionals that work closely with members of the Oyster Group then the initial engagement between the PSNI and the group was very positive and increased confidence in the group of the police, and thus to report a transphobic incident. However, once this engagement, which was seemingly born out of the initiative of one officer, ceased the confidence that had been built eroded. Members of the Oyster Group had similar, yet more critical, opinions on the matter as one stated that the inability of the PSNI to find a replacement for this officer's role pointed to '*structural failings*' in the PSNI, and revealed that the PSNI were just '*paying lip service*' to trans population. However, on the whole members of the Oyster Group felt that future engagement with the PSNI would be positive, although they expressed caution due to the false expectations and feelings of being let down that occurred after previous engagement. Any future interaction between the PSNI and the Oyster Group must then be handled with sensitivity with the PSNI taking a proactive role to ensure that they are seen to be sincere in their attempts to engage with the group. It was felt that future interaction, if regular, would be very beneficial.

Overall, trans individuals that ICR spoke to had a variety of experiences interacting with the PSNI. The majority of individuals had had negative experiences with members of the police, including being laughed at and not feeling their case was taken seriously enough. This was found to lead trans individuals not to report an incident due to the perception of receiving further discrimination at the hands of police officers. Negative interactions with the police seemed to have long lasting effects on the individual's perception of the police and such experiences could be communicated to other trans individuals, which may lead others not to report an incident. However, it was recognised by some interviewees that police attitudes had and were continuing to positively change, and in fact a number of respondents reported having interactions with the PSNI that confirmed this, although, the majority of respondents clearly expressed a view that they thought there was a need for further education and training among PSNI officers regarding trans issues and the appropriate procedure in which to

handle their cases. Any training, however, should be part of a programme of engagement that sees regular interaction between the PSNI and the main trans support groups in Northern Ireland.

Trans individuals' experiences with other statutory agencies

During both interviews and focus groups with trans individuals a number of issues were raised about interacting with other statutory agencies, including the health service³⁶ and the NIHE,³⁷ that are worth noting.

Several members of the Purple Group expressed difficulties whilst utilising the health service, predominately such issues revolved around the use of the wrong pronoun and name. The following is an example of this:

I was having a really bad panic attack and my throat was bleeding. And the ambulance men were totally preposterous...When I came in they kept saying "he, he, he". And they called out my old name in front of the waiting area.

This individual felt significant hurt because the health professional called her by the wrong pronoun and used the name she had before it was changed. The latter point was specifically distressing for her as her old male name was used in front of other patients whilst she was presenting as a female, the negative impact of this was compounded by the fact that at the time the individual was suffering a panic attack. Another individual, at the same focus group, recounted an incident that was similar in nature although it was handled differently by hospital staff:

The staff came up to me and said, you know, "which would you prefer?" You know, "Miss or Mister. whatever". I said "miss preferably."

³⁶ Two survey respondents stated that they reported a transphobic incident to a doctor or while in hospital.

³⁷ One survey respondent stated that they reported a transphobic incident to a housing executive.

On this occasion the hospital staff, who were unsure of how to refer to the individual in question, sensitively asked the individual her subjective preference on which pronoun should be used. Whilst respondents stated that it caused them annoyance to have to answer questions such as this, especially while dealing with statutory agencies, it was deemed to be more appropriate than using the wrong pronoun or avoiding the use of any pronoun. Similar problems were encountered by one individual in her interactions with the NIHE who said members of staff were continually ‘*using all the masculine terminology.*’ However, this individual had greater concerns with how her housing situation was handled. On beginning her transition she decided that she had to move:

Cause, from what I know, there was one transsexual that lived in [name of town] and got nothing but trouble...[and] just before I moved somehow my cousin found out and basically started threatening [me].

The NIHE on hearing her case classified her as ‘intentionally homeless,’³⁸ this is in spite of stating on their website (www.nihe.gov.uk) that ‘*you are not intentionally homeless if it was not reasonable for you to remain in your last home.*’ This individual did not feel it was reasonable to stay in her last home due to actual threats to her person and the knowledge that another trans individual who lived in the area had been subjected to prolonged harassment, however, the NIHE disagreed. As she was classified as intentionally homeless the individual was forced to live in accommodation located in a housing estate where she has been subjected to numerous transphobic incidents.

Another individual expressed concerns regarding her interaction with the NIHE, who seemed to her to be inflexible in dealing with the sensitive nature of her case, discussing the abuse she was receiving in and around her home that led her to seek new accommodation, she said:

³⁸ The NIHE will ‘consider you to be ‘intentionally homeless’ if you have become homeless as a result of something that you have done or failed to do, or if you have entered into an arrangement that was intended to render you homeless or threatened with homelessness’ (see: http://www.nihe.gov.uk/index/yh-home/homelessness-4/are_you_homeless.htm).

I reported it and all to the Housing Executive...They wanted me to go back on the housing list and I turned round says "I'm never, you can't." They won't even sit down and help you [and] talk about where the safest places are for the likes of us. You pick two options and that's it and I says "I'm not doing that again"... "Well we can't really help you, so if you don't pick two options you can't go on the housing list." I goes "all I want is for yous to sit down and go over safe places and stuff because I don't want a reoccurrence of the last time."

This individual felt that the NIHE should have been more willing to discuss the possible locations of her resettlement, as this had previously not been done and she ended up in accommodation that resulted in her receiving abuse and harassment. This inflexibility came across as insensitivity to her situation.

Overall, discussions surrounding the interaction between trans persons and statutory agencies, including the health service and the NIHE, was relatively negative in nature, with trans individuals citing incidents in which they felt they received poor treatment from hospital staff and felt their case had been handled insensitively by the NIHE. However, there was little focus given to discussion about such agencies and therefore conversations about said agencies were limited and not as robust as those regarding the PSNI. Therefore, the cases cited above should not be taken as indicative of the trans population's interaction with these organisation. However, the few incidents that were discussed point to a need for greater awareness of trans issues and better protocols to be put in place in regards to how staff of statutory agencies should interact with trans persons.

Positive Interactions

Outside of the three main trans support groups, there were only a handful of other avenues that trans persons discussed going down for help. The Rainbow Project, Gay

& Lesbian Youth Northern Ireland (GLYNI) and Cara-Friend³⁹ were all mentioned by interviewees that at some point had provided them with support and encouragement, as well as providing groups, such as the Butterfly Club and the Purple Group, with a space in which to hold meetings and drop-in sessions. Another organisation cited by respondents as helpful, especially in regard to finding out information about one's legal rights and entitlements, was the Equality Commission. Some individuals also highlighted the importance other individuals could have in helping them through difficult periods in their lives including friends, work colleagues, priests, and solicitors.

Conclusion

Trans individuals are like any other member of society, with a specific community background and regular concerns regarding housing, employment and how to spend their leisure time. For many trans individuals, however, their life is made more complicated by the fact that they receive significant amounts of harassment and abuse due to their gender identity. Such harassment and abuse leads some individuals to have major concerns regarding their safety and can have a negative impact on their emotional, physical and psychological well-being. It was found that respondents had a wide range of experiences in their interactions with statutory agencies, some of which were positive but most of which were negative. The latter were seen to be fuelled by a lack of awareness of trans issues, a lack of appropriate training to handle trans persons' cases and a lack of engagement between statutory agencies and trans support groups. Having a negative experience with a statutory agency, especially the PSNI, was found to inhibit trans persons from utilising the service again and may lead them not to report a transphobic incident in the future. This mixture of experiences is summed up by a member of the Purple Group:

Well it depends you see, you could have a really transphobic police person at the station or you could have someone who will pass a sympathetic ear to you. It is the luck of the draw.

³⁹ Three survey respondents stated that they reported a transphobic incident to an LGB organisation.

How a trans individual is responded to and treated by an employee of the police after experiencing a traumatic incident may come down to luck. In the following chapter the opinions of the police officers who are most likely to come into direct contact with trans individuals after a transphobic incident, HIMLOs, are presented.

6. Police Responses to Transphobic Hate Crime

A recent report into disability hate crime in Northern Ireland has suggested that the PSNI is regarded as the primary agency responsible for dealing with hate crime in Northern Ireland (Vincent et al. 2009). Over the past number of years the PSNI have undertaken a number of initiatives in order to tackle hate crime and increase the levels of reporting of hate incidents, these include: developments in recording mechanisms, the procedures used to respond to and tackle hate crime and the ways in which to report a hate incident. The PSNI have also been involved in attempts to increase public awareness, through posters, billboards and high visibility media campaigns, of the insidious nature of hate crime. The PSNI have also participated in multi-agency programmes that have been designed to tackle hate crime.

This chapter begins by briefly outlining the PSNI's policy statement and their aims and objectives in responding to hate incidents. We then embark upon a more in-depth discussion on the role of Hate Incident Minority Liaison Officers (HIMLOs), the reporting of hate incidents and then transphobic hate crime in particular. This discussion is informed by the opinions of PSNI officers, gathered through a questionnaire as well as interviews conducted with PSNI officers. The chapter concludes with a discussion on the initiatives aimed at raising social awareness of hate crime by the PSNI.

Responding to Hate Crime – Policy Statement

In the PSNI's Policy Directive 02/06, they set out their policy statement regarding their response to hate incidents, stating:

The Police Service of Northern Ireland (PSNI) will:

- (i) Work to combat all forms of hate incidents through prevention, protection and prosecution;*
- (ii) Ensure that victims are supported and kept informed of the progress of their case;*

- (iii) Work in partnership to tackle hate incidents;*
- (iv) Empower police officers to effectively tackle hate incidents through training;*
- (v) Proactively engage with relevant parties to increase confidence;*
- (vi) Monitor the effectiveness of the Police Service response to hate incidents;*
- (vii) Ensure that any discrimination and prejudice within the Police Service and by members of the Police Service is actively and firmly addressed.*

They intend to do so by meeting the following aims and objectives:

The Police Service will:

- (a) Record, respond and investigate all reported hate incidents in a consistent, robust, proactive and effective manner;*
- (b) Maintain specialist Hate Incident Minority Liaison Officers (HIMLOs) in every police district;*
- (c) Ensure that every reported hate investigation is appropriately supervised;*
- (d) Ensure that every victim of a hate incident is offered the assistance of a Police Service HIMLO and provided with information relating to local statutory and voluntary support agencies;*
- (e) Take reasonable/appropriate steps to identify and protect repeat victims;*
- (f) Work in partnership with other statutory and non-statutory partner agencies to address areas of hate incidents prevention, reporting and response.*
- (g) Ensure that appropriate training is given on the application of this Policy.*

This is a clear statement of intent by the PSNI that they will tackle hate incidents in a strong yet sensitive manner. It indicates a clear understanding of some of the key issues surrounding hate incidents, including the need for a multi-agency approach to tackle incidents of hate; the importance of supporting the victim and having community participation in challenging hate incidents; the need for officers to be trained and the PSNI's responses to be evaluated; and, the need to increase confidence among communities affected by hate incidents and to tackle intolerance within the PSNI. However, unless such policy statements are seen to be reflected in the strategic and operational activities of the PSNI then they will be nothing more than empty

rhetoric. These seven policy statements, and seven aims and objectives, are therefore a useful measure against which to gauge the PSNI's strategic and operational activities regarding hate incidents.

Responding to Hate Incidents – Views of Officers

Stated in the aims and objectives of the PSNI's Policy Directive on responding to hate incidents is the goal to '*Maintain specialist Hate Incident Minority Liaison Officers (HIMLOs) in every police district*' (2006: 3). HIMLOs are PSNI officers whose role is to deal specifically with incidents of hate and the victims of such incidents. HIMLOs are directly involved with both the strategic and operational aspects of the PSNI's response to hate incidents. Currently there are thirty eight HIMLOs, one in each of the twenty-nine District Command Units (DCUs), with some DCUs having more than one. HIMLOs are most commonly Community Safety Sergeants, although this is not always the case, and have a predominately reactive role, responding to hate crimes after they have happened by supervising the police response to the incident and providing support and advice to victims. While the main role of a HIMLO is to 'follow up' a hate incident, they are also expected to '*pro-actively identify and engage with local minority groups in their DCUs*' (Radford et al. 2006: 28) and thus engage in preventive work through community engagement and raising awareness among communities affected by hate incidents. In this sense HIMLOs actively work to meet five of the PSNI's stated aims and objectives (that is objectives a, c, d, e and f, as outlined above). One important exception is the case of B District, which encompasses East Belfast, South Belfast and Belfast City Centre, where for the past two years they have had two investigative HIMLOs who actively investigate hate crimes.

ICR sent an open-ended questionnaire to each of the thirty eight HIMLOs currently working in the PSNI,⁴⁰ thirteen of whom completed the questionnaire, roughly one third. Of these thirteen respondents six were chosen for in-depth interviews, while an interview was also conducted with the PSNI's Community Safety Inspector. Below is

⁴⁰ See 'Methodology' section in the 'Introduction' of this report for more details.

a summary of the questionnaire responses, along with findings from the individual interviews, which together serve as an important insight into the views and opinions of HIMLOs who serve to enact the PSNI's stated aims and objectives in responding to hate incidents.

Commonality of Hate Crime by Type

In order to find out what forms of hate crime HIMLOs *perceived* to be most common within their DCU, we asked '*what are the most common types of hate-crimes in your district?*' All thirteen respondents stated that sectarian hate motivation was common in their district, the second most common form of hate motivation was racial (twelve), homophobic hate motivation (seven) was perceived to be the third most common, while disability, faith and transphobic motivation were all perceived to be common by two HIMLOs. The hate crimes *perceived* to be most common by HIMLOs within their own DCUs reflects the most common forms of hate crime *recorded* by the PSNI in 2008/09.⁴¹

Of the two respondents that stated transphobic hate crime was one of the most '*common*' types of hate motivation in their district one is based in PSNI headquarters, while the other is a network support officer. Both respondents stated that all six categories of hate crime were common in their district. Individual interviews were conducted with both officers who explained their duties cover Northern Ireland in its entirety. Their response can be seen to indicate that the six recognised types of hate crime were seen to be a common problem across Northern Ireland.

⁴¹ In 2008/09 sectarian hate incidents and crimes were the numerically highest form of hate crime recorded by the PSNI (1,595 incidents and 1,017 crimes), followed by race (990 incidents and 771 crimes) and then homophobic hate motivation (179 incidents and 134 crimes), with faith (46 incidents and 28 crimes), disability (44 incidents and 28 crimes) and transphobic (10 incidents and 2 crimes) motivation with lower levels of recorded incidents and crime.

Community Engagement

In the PSNI's Policy Directive 02/06 it is stated that the PSNI will '*[p]roactively engage with relevant parties to increase confidence*'. To better understand the current level of interaction that exists between HIMLOs and the communities affected by hate crimes ICR asked '*what type of interactions/engagements do you have with the relevant communities (ethnic minorities, LGB groups, and transgender community) in your district?*' Of the thirteen respondents ten stated that they had some level of engagement with relevant voluntary agencies/organisations, eight specifically stated they had consultation with an Independent Advisory Group (IAG); five stated that they have supported (minority) cultural events and organisations; and one respondent stated they engage with relevant communities through thematic groups. This high level of community proactive engagement is encouraging and shows that the majority of HIMLOs are working closely with communities affected by hate incidents to increase confidence levels.

Communication between relevant voluntary agencies/organisations and HIMLOs is important as it serves to build links between the PSNI and minority communities. The PSNI believe that '*[g]reater confidence, co-operation and increased reporting will be achieved if the Police Service...continues to proactively build positive relationships with representatives and support organisations for minority and vulnerable groups*' (PSNI 2006: 5). Such links also facilitate the sharing of knowledge between both parties regarding issues surrounding hate incidents. For instance members of minority communities can inform the PSNI of hate incidents that have not been reported, while the PSNI can discuss new strategies to tackle hate incidents.

Interaction with communities affected by hate incidents can be through an open-surgery or at a drop-in session at minority community centres, however, participation in consultation meetings with Independent Advisory Groups (IAGs) was the most commonly reported form of engagement. IAGs are community-led groups that are, in the context of hate incidents, formed around a specific hate category, such as racism or homophobia, that enable members of minority groups to provide independent

advice to the PSNI. The aim of IAGs is to encourage local community members to have their say regarding community safety issues by enabling discussions of how the quality of policing can be improved in the area, allow for consultation regarding the development and implementation of policies, and to work towards increasing levels of trust and confidence in the police. Membership of IAGs is voluntary and requires commitment of one's time and energy. The IAG framework provides an important forum in which members of minority communities can give advice to HIMLOs on issues that affect their community, inform HIMLOs of incidents that may not have been reported, and also assist the police in dealing with incidents or crimes involving their community⁴². This allows HIMLOs to spot possible areas of community tension and work towards diffusing such tension.

Officers we spoke to stated that IAGs are a very useful means of increasing minority community participation in tackling hate incidents and also a valuable source of information in the continuing process of monitoring community tension. By convening periodic IAG meetings, for example every three months, HIMLOs said they had built strong relationships with members of IAGs that has hugely benefited their role and served to enable quick responses and preventive measures to potentially serious community safety situations. Consultation with IAGs should be promoted among HIMLOs who are currently not participating in such knowledge sharing forums. Ideally HIMLOs should hold regular meetings with representatives from each of the six recognised categories of hate incidents in order to negate the impact of under-reporting and ascertain possible areas of tension.

Five of the questionnaire respondents stated that they supported (minority) cultural events, including such events as '*Mela, Chinese New Year, Polish Picnic, Ramadan*' and '*Pride*'. Police participation in (minority) cultural events is important as it can help to build and develop relations with minority ethnic communities and help to address issues surrounding hate incidents. Supporting local events affords HIMLOs an opportunity to engage with members of minority communities in an informal setting

⁴² For an example of what IAGs entail see:
http://www.psnipolice.uk/index/youth/youth_independent_advisory_group.htm.

and can be seen as a way of expressing the PSNI's commitment to work with all sections of the community. The PSNI sees such participation as an '*excellent vehicle to...canvas potential future Police Officers from minority groups*' with the presence of police providing an opportunity for persons from minority groups to obtain information on a possible career in the PSNI (PSNI 2008: 5). It is also an arena in which HIMLOs can provide crime prevention advice. Supporting cultural events increases the visibility of the PSNI and is integral to improving the confidence among minority groups of the police.

One officer ICR spoke to stated how his presence at this year's Pride event in Belfast had been vital in raising the PSNI's profile among the LGB community. The officer stated that the PSNI's presence at Pride was important as it would increase levels of confidence among the LGB community as it was a sign of the PSNI's dedication to tackling homophobia. Proactive participation in cultural events serves as an important vehicle for creating a rapport between the PSNI and members of minority communities that may not come into contact with the police in another setting and should be encouraged as a means of establishing and sustaining good relations with minority communities.

It can be said that the majority of HIMLOs who responded had a good level of interaction with communities most affected by hate incidents. Worryingly, however, two respondents stated that they interacted with relevant communities '*mainly by way of follow-up to hate incidents*' or on an '*ad hoc basis*', while another HIMLO stated they engaged with communities affected by hate incidents '*usually at HIMLO training events*'. This suggests that some HIMLOs currently have very limited interaction with the members of communities that are most affected by hate incidents in their district. While it is true that the PSNI state that they wish to '*[e]nsure that victims are supported and kept informed of the progress of their case*', however, keeping victims informed of the progress of their case does not amount to proactive engagement that will improve community confidence in the PSNI. Limited interaction with communities affected by incidents of hate reduces HIMLOs' ability to disseminate valuable community safety information, prevents them from encouraging the

reporting of hate incidents, as well as curbing communities' confidence levels of the PSNI. Lack of engagement also disempowers potential advocates of minority ethnic groups as they are unable to give advice and support to the PSNI regarding issues that affect their community.

The variance in the levels of proactive engagement and partnerships that respondents stated they have with communities affected by hate incidents reveals that currently there is not a standardised procedure for HIMLOs to proactively engage with minority communities or to set up partnerships. The lack of standardisation means that the PSNI may possibly fall prey to one of the two risks they identify in their own Policy Directive (2006: 7), that:

This Policy must be consistently applied across every police district to ensure that every reported incident is investigated to the same standard and that every victim receives the same level of assistance and support.

The current uneven level of partnerships and engagement between HIMLOs and minority communities across different DCUs may mean that victims of hate crime may have differing experiences of police assistance and support. Discussions with HIMLOs strongly suggest that partnerships and proactive engagement are vital in increasing their knowledge of local issues and developing their capabilities to respond to hate incidents. Therefore the variability in levels of partnerships and engagement will lead to variance in the standard of assistance provided to victims. One way to counter this would be to utilise the PSNI's Policy Directive 01/09 (2009) on *Partnership Working*, which gives vital information on creating, maintaining and evaluating partnerships, to create a formal standardised procedure for HIMLOs to initiate partnerships with relevant community groups and/or voluntary organisations within their DCU.

Training

In the PSNI's Policy Directive 02/06 they state they will '*[e]mpower police officers to effectively tackle hate incidents through training*'. However, a recent report into homophobic hate crime and policing in Northern Ireland (O'Doherty 2009) highlighted concerns among HIMLOs '*that they had received no specific training on their role*' (46). ICR therefore felt it relevant to ask HIMLOs '*[w]hat type of training/information have you received?*' The majority of respondents, eight, stated that they had received internal training; half of respondents, six, said they had received some form of external training; two cited attendance at HIMLO meetings/conferences; while, worryingly, two respondents explicitly stated they had received no specific training and one respondent simply stated that the training they had received was '*[n]egligible*'.

One respondent was positive in their response regarding the amount of training they had received, noting '*[n]umerous training in this area received throughout my police career*'. Another HIMLO stated that they had received '*[b]oth internal and external training received re Travellers, hate crime, MLO training, Islamic awareness, Transgender conference attended.*' However, other respondents were less positive regarding the training they had received, with one suggesting that '*[i]nternal and external training [was] received, although [it was] not extensive*' and another simply stating '*[n]egligible.*' Worryingly, however, one respondent said they received '*[n]o specific training*' and another said they had received '*[n]one*'. A third respondent stated that '*[i]nitially no formal training provided, but in an effort to redress this, I have secured accredited Global Educator Training.*'

The training of HIMLOs appears to be far from uniform, with various degrees of internal and external training having been received, with some questioning the quality of the training they had received. In the eyes of a minority of respondents training had been non-existent. A proportion of HIMLOs therefore feel that they have not been provided with adequate training for their role, one of whom sought external training to remedy this. Thus, there appears to be some question as to whether the PSNI are

sufficiently empowering *‘police officers to effectively tackle hate incidents through training.’* This lack of standardisation, once again, raises the issue of whether victims of hate incidents are receiving the same standard of assistance across Northern Ireland.

Following the question of training respondents were also asked *‘[w]ould you like to receive further training/information, if so what type?’* Nine respondents said yes, one HIMLO said no, while three respondents neither said yes or no. The majority of respondents who said they would like to receive further training/information commonly stated something similar to *‘additional training is always welcome’*. However, the two HIMLOs that had previously stated that they had not received *any* training were more demanding in their response, with one exclaiming that they *‘will take any that is on offer!!!!’*, while the other officer clearly stated they *‘would like to receive some formal training regarding my role.’* The officer who stated that the training they had received was *‘[n]egligible’* stated they would like training on *‘cultural awareness.’* Therefore, there is a desire from a large proportion of HIMLOs, which ICR spoke to, to receive formal, possibly accredited, training directly related to their role.

The HIMLO that stated they would *not* like to receive further training, felt this because they had received:

‘[n]umerous training in this area...throughout my police career. I do not believe further training around this area is required however I do think that the way forward is by sharing good practice in terms of encouraging reporting and dealing with all hate crime is continued. The PSNI are currently doing this through service-wide meetings of their hate crime officers for this purpose and to receive further training’

The HIMLO meetings discussed by this officer are internal conferences held by the PSNI periodically every three months. Such events bring together HIMLOs from different DCUs and often have in attendance members from a minority community who are there to educate HIMLOs about their particular community and answer any

questions that the HIMLOs may have. The main aim of a HIMLO meeting/conference is to promote the sharing of good practices among HIMLOs; one respondent described them as *'knowledge sharing days to exchange ideas with other HIMLOs'*. HIMLO meetings are not compulsory and seen in part as an informal training mechanism. However, in an individual interview, one HIMLO categorically rejected such meetings could be conceived as 'training', while another interviewee said

'a conference is not a training course it's a great forum for swapping ideas, exchanging experiences, you can bring in guest speakers if you want. But in terms of somebody standing up in front of a dry white board and saying this is what you need to consider. It didn't happen.'

These officers echo what O'Doherty (2009: 46) found in his report, *'that these conferences, while being effective in building relationships and networking with minority groups, were not an alternative to training.'* Therefore, while regular meetings/conferences for HIMLOs from across Northern Ireland is beneficial for the continuing developing and sharing of best practices between HIMLOs they should not be seen as the panacea for a lack of formal training.

PSNI officers have on occasion participated in larger more specific public conferences regarding hate crime issues, however, these are often singular occurrences that are not repeated. For example, a number of officers that we spoke to had attended a trans conference, titled *Transgender Symmetry*, that was held in February 2007.⁴³ The conference was organised by the Belfast Butterfly Club, who spoke about trans issues in relation to families, young people, in the work place and in the health service. All of the HIMLOs, which we spoke to, that attended this conference hailed it as a success and were positive about the insights they gained from the conference, expressing enthusiasm about being able to talk directly to members of the trans population. One interviewee said that *'one of the best conferences that I have been to in my whole time in hate crime has been the transgender conference.'* However, any

⁴³ A similar conference surrounding trans issues was held in June 2008 by A:Gender, which was open to all current UK civil servants.

current HIMLO who was unable to attend this meeting or did not work for the PSNI at this time will not have received similar training, thereby severely limiting their knowledge of trans issues and reducing their networking capabilities with trans advocates. One HIMLO from the North Down area stated how it was '*lucky*' that the trans training event was held just as they started, as it gave a good understanding of some of the key trans issues. It was '*lucky*' for this officer in particular because they had to deal with a volume of transphobic incidents in 2006/07 (see NISRA 2007). The understanding that the officer gained from the training event enabled them to handle the large number of incidents and crimes with a high level of sensitivity. By building a strong personal relationship with the victim who had reported the majority of the incidents the officer was able to help resolve the issue satisfactorily for the individual. If an officer who had not received similar training had been in the same position it is questionable whether they could have resolved the issue as effectively as the HIMLO in question.

In interviews with PSNI officers it was acknowledged that arranging formal training for thirty eight officers who are geographically dispersed and have a demanding, high pressured job can be difficult. The PSNI have attempted to attend to the gap in training through e-distance learning. An interviewee described e-distance learning as a user friendly interactive computer programme that is undertaken by an officer through their own initiative. The programme takes about four hours to complete and has a test at the end. This interviewee felt that e-distance learning was useful as it was practical and was always there for reference. However, they also noted that its effectiveness could be limited if officers were not fully computer literate and because there was no class room scenarios/training involved. Other HIMLOs that ICR talked to were less positive about e-distance learning, with one interviewee stating that they had little time to utilise the e-distance learning programme due to the demands of their role. Another officer was more critical of e-distance learning stating '*I found the quality of e-learning poor, I found the method by which it was delivered, the electronic version, very poor*' and questioned the quality of the software saying it had '*crashed*' on a number of occasions.

It is worthwhile to note that the two HIMLOs who stated that they had not received *any* internal or external training *did* engage on various levels with communities affected by hate crime. This is interesting in comparison to three HIMLOs who *had* received either ‘*in-house training*’, or saw ‘*HIMLO meetings*’ as training, yet they had relatively *low* engagement with communities affected by hate crime. Training, therefore, may not be essential in order for a HIMLO to engage with and build relationships with relevant community groups; rather, due to the lack of standardised procedures for engagement, it is currently the subjective initiative of HIMLOs themselves that leads to greater communal engagement. This point should not be taken as evidence that negates the importance of training, rather it should be taken as evidence that there should be a standardised protocol for HIMLOs engaging with and fostering relationships with relevant community groups/organisations, through the setting up of IAGs and supporting of cultural sessions. Once such a protocol has been developed, information regarding it can be disseminated at any future HIMLO conferences.

Reporting

The PSNI Policy Directive 02/06 acknowledges that ‘*hate incidents are under reported to the police for various reasons*’ (2006: 5). Respondents were asked a number of general questions on the reporting of hate incidents, the first of which was ‘*[d]o you think hate crime is under-reported?*’ The overwhelming majority of respondents, ten, stated that ‘*yes*’ hate incidents were under-reported, one stated that yes but ‘*[t]here is an increase*’, while two HIMLOs believed that hate incidents are not under-reported.

Following this question, respondents were asked ‘*if yes, why?*’ Responses fell into twelve categories, with the majority of HIMLOs stating a number of reasons why victims do not report hate crime: the two most common responses, mentioned by six HIMLOs, were victims’ ‘*lack of knowledge about procedures*’ and they have a ‘*fear of reprisal*’. A ‘*lack of confidence in police and wider criminal justice system*’ was noted as a reason for under-reporting by six respondents, while five HIMLOs each

stated that *‘a perception that police would not or could not do anything about the crime/incident’* and *‘a previous negative experience of the police and wider criminal justice system’* lead to under-reporting of hate incidents. Three officers mentioned that victims might have a *‘fear of being ‘outed’* as a reason for not reporting a hate incident. Two respondents highlighted that under-reporting might be due to:

- *‘fear or dislike of police’;*
- *‘the perception that the report would not be taken seriously’;*
- *‘a belief that the PSNI and/or PSNI officers are biased’;*
- that the incident was *‘not worth reporting’;*
- or that the individual *‘hope[d] issue will go away and not happen again’;*

Finally, one respondent stated that the *‘movement of people who may not be reached through minority groups or other contacts’* was a reason why hate crime is under reported. The wide range of responses reveals that not only is there acceptance that hate incidents are under reported by the PSNI but that there is also good awareness among HIMLOs about the reasons that prevent individuals from reporting hate crime.

The responses indicate that over half of the HIMLOs, who believe hate crime is under-reported, see victims, either because they are unaware of the mechanisms to report hate incidents or they are worried about receiving negative repercussions, as a definitive factor in under-reporting. However, there is also a strong recognition among HIMLOs that negative perceptions of the police/criminal justice system, possibly due to a past negative experience with the police (either in Northern Ireland or elsewhere), impacts on victims’ willingness to report incidents of hate. From these two points it is clear then that at the heart of the under-reporting of hate incidents is the relationship between communities/individuals affected by hate crime and the PSNI. The creation of partnerships and continued, prolonged engagement between the PSNI and communities affected by hate incidents, through support organisations and advocates, will enable HIMLOs to develop strong working relationships that establish positive perceptions of the PSNI among affected communities. However, while the impetus is on the PSNI to raise awareness of the available reporting mechanisms, instil

confidence among minority communities in their ability to deal with hate incidents effectively and keep victims safe from retaliation, support organisations and advocates also have a responsibility to ensure the PSNI are aware of any issues that may prevent individuals from reporting hate incidents so that they may address such issues.

It is surprising that two HIMLOs stated that they did not believe hate crime was under-reported as it is clearly stated in Policy Directive 02/06 that the PSNI have '*acknowledged that hate incidents are under reported to police for various reasons*' (2006: 5). The two officers that stated that hate incidents were not under-reported were mentioned above for not having a large degree of interaction with the relevant communities in their district, as they engaged '*mainly by way of follow-up to hate incidents*' and '*usually at HIMLO training events.*' This differs from the majority of HIMLOs who did proactively engage with the minority communities in their DCU and did acknowledge that hate incidents were under-reported, often stating multiple reasons why this was. We can see then that there is a correlation between having limited engagement with communities affected by hate incidents and an awareness of the degree to which incidents of hate are under-reported. Knowledge of the causes of under reporting, and thus ways to tackle under-reporting, can be seen in part to stem from pro-active PSNI-community engagement.

Methods of Reporting

Whilst there are no specific policy statement in the PSNI's Policy Directive 02/06 regarding methods of reporting hate incidents, this is nevertheless an important area. Various methods to report a hate incident currently exist, including the traditional modes of reporting crime, such as dialling 999 (there is also a non-emergency number that can be called), going to a local police station or reporting a crime anonymously through 'Crimestoppers.' New methods of reporting have also been developed in light of the vulnerability of some victims of hate crime. Two such methods that are confidential in nature are online reporting and third party reporting. Online reporting is relatively straightforward, with the individual accessing the online reporting form on the PSNI's website. Third party reporting is different in that it is not the victim

who reports the incident; rather it is another individual who the victim has told about the incident.

In order to get an understanding on how HIMLOs viewed third party reporting respondents were asked '*[w]hat are your experiences of third party reporting?*' Two HIMLOs stated that they had a lot of experience with third party reporting, six respondents had some experience of the system, while two HIMLOs had few experiences and another two stated none/don't know. To follow this initial question HIMLOs were asked '*[d]o you think it is useful, i.e. does it allow people to report a crime when they normally wouldn't?*' Three responses stated 'yes', while a further five said '*yes, but service needs to be promoted*', one respondent said 'no' and three HIMLOs gave no response.

The majority of responding HIMLOs, eight, saw that third party reporting was useful. One reason given for this was that it '*has allowed persons to report when they may have not have done had this mechanism...not been in place.*' As an officer suggests '*this can be useful to make Police aware of incidents occurring and to encourage witnesses to come forward as a medium to facilitate the recording of statements of complaint.*' However, a common sentiment shared among HIMLOs was that the '*profile of the facility would need to be promoted and widely communicated to ensure more become aware of its existence with partner agencies.*' In line with this view another respondent stated that '*[t]he mechanisms are in place however only one report was made in the last year.*' It is clear then that while the majority of HIMLOs see the utility in third party reporting mechanisms, there is a need to advertise the service to the relevant communities in order to increase awareness about it. Third party reporting should be an option for all categories of hate crime and HIMLOs should work closely with relevant support organisations to ensure that this facility is made available for victims of the six categories of hate incidents. One HIMLO, however, was less positive and stated that '*[t]hird party reporting is commendable but often does not provide the details and evidence that police require to further investigate*', although, they continued by saying '*[i]t does allow us to become aware of a problem and to address via other avenues*'. Therefore while there may be some

frustration that third party reporting reveals a problem without enabling the PSNI to solve it through orthodox measures, it is still possible to attend to such problems through alternative means.

The majority of third party mechanisms currently operate through support organisations. However, there is currently a unique third party reporting mechanism in B District (Central, East and South Belfast) where a pilot bilingual advocacy scheme is running until April 2010. This pilot project entails two full time members of staff, one from a Chinese background and another from a Polish background, to act as mediators between the PSNI and their respective communities. In an interview with one of these advocacy workers it was explained that their core aim was to ensure all hate incidents were reported, to reduce fear among minority ethnic communities in the area and liaise with different statutory agencies.

The advocates in B District document hate incidents that may not have been reported, give advice, encourage victims to report incidents to the police or complete a third party report with or without the name of the victim. They can also help to arrange confidential meetings between the PSNI and victims of hate incidents who may be afraid of reprisals if they are seen to be talking to the police. The outreach work the bilingual advocates conduct is seen to be a way of improving the number of hate incidents that are reported to the police as well as to help build confidence in the PSNI in minority ethnic communities. Their work is also essential in the monitoring of possible areas of tension as they have an in-depth understanding of the type, volume and location of incidents that are occurring within their DCU. However, this project is currently only a pilot and its effectiveness has yet to be fully evaluated, although there was a feeling from the advocacy worker and some members of the PSNI that ICR spoke to that this pilot had been successful so far.

A similar advocacy project is currently being implemented by The Rainbow Project, an organisation that promotes health and well-being among gay, bisexual and men who have sex with men (MSM). From April 2010 a dedicated LGBT advocacy worker will be employed to serve a comparable role as the bilingual advocates in B

District, discussed above, for LGBT individuals. The advocate, whose role is core funded by the PSNI and co-funded by the Belfast City Council and NIHE, will cover B District⁴⁴ in the key areas of hate crime and housing inequality. The main role of the advocate, in relation to hate crime, is to act as a third party reporter and offer support and advice to LGBT individuals who have suffered from a hate incident. In line with this the advocacy worker will help LGBT individuals access services and follow up incidents reported to police to ensure they have followed the correct procedures. Another role of the advocacy worker is to help with the facilitation and promotion of clinics, or drop in sessions, for LGBT individuals to meet with and discuss any issues they may have with members of the PSNI and NIHE.

While such pilot programmes are a positive step forward the current limited nature of the schemes raise a number of issues. First, in discussion of this project with a trans individual they did not believe that all members of the trans population would be happy utilising an advocate from a gay, bisexual and MSM organisation and questioned whether such an advocate would have sufficient knowledge regarding trans issues. Second, the appointment of two bilingual advocates and a LGBT advocate covering B District raises the question of standardisation again. The bilingual advocates are seen to have provided the PSNI with a valuable link into minority ethnic communities that may have improved levels of reporting and the service that victims receive. This indicates that individuals, for example from the Chinese community, who suffer from a hate incident, may receive a higher standard of support if they lived in B District than if they had lived in a different police district. Finally, the fact that there have been bilingual advocates and there will be an LGBT advocate raises the possibility of the view that these forms of hate incidents are more important than others which do not have an advocate, such as disability, all of which suggests that the police are currently not being consistent in tackling hate incidents across every police district and therefore cannot ensure that every reported incident is investigated to the same standard or that each victim receives the same level of assistance and support.

⁴⁴ There is currently ongoing communication between The Rainbow Project and the PSNI to expand the remit of the advocacy worker to cover the whole of Belfast, and not just B District.

Improving Levels of Reporting

With the PSNI recognising that hate incidents are under-reported HIMLOs were asked *‘[d]o you think there is a way to improve the level of reporting among vulnerable populations?’* The majority of respondents gave multiple answers that fell into twelve categories: five HIMLOs stated levels of reporting could be improved through *‘consultation with the vulnerable populations’* and that *‘reporting mechanisms should be made to be user-friendly, approachable and supportive’*. Four respondents highlighted the need to *‘increase confidence among vulnerable populations.’* Two HIMLOs stated that *‘confidential methods should be provided’* as well as the *‘promotion of third party reporting,’* two respondents also said *‘reporting will increase when it is seen that incidents are being dealt with seriously and sensitively.’* The following reasons were stated each by just one respondent as ways to improve the level of reporting of hate crimes:

- *‘increase knowledge among vulnerable groups’;*
- *‘community/support groups can encourage people to report’;*
- *‘having specific legislation in line with other police forces in UK Mainland and awareness of its existence may encourage reporting,’* and that;
- *‘maintaining contact with easier to reach groups/churches and organisations e.g. YMCA in the hope that word will spread to the harder to reach populations.’*

The wide range of responses reveals that HIMLOs have a good understanding of the measures that could be taken to improve current levels of reporting. The majority of officers saw the building of relationships with relevant communities as the key to increasing both knowledge and confidence in the PSNI’s work to tackle hate incidents. There was also concern that the reporting mechanisms in place are made as accessible as possible and that the response of PSNI officers must be appropriate to the situation in order for victims to feel that their concerns have been sufficiently addressed.

Two respondents had very different answers from the ones cited above to the question posed on improving levels of reporting hate crime. One officer stated that they *'don't know'* if there is a way to improve the level of reporting, while another said *'people will report hate crimes if they think it is a hate crime.'* Both respondents had previously stated that they did not believe hate crime was under-reported and also had limited interactions with relevant communities. The limited engagement that these officers have with communities that are affected by hate incidents appears to have led to a belief that hate incidents are not under-reported and that nothing can, or should, be done to increase levels of reporting.

Transgender Issues

In order to get a greater understanding of HIMLOs experiences and knowledge of transphobic incidents ICR asked a number of trans specific questions, the first of which asked respondents *'[w]hat has been your experience of transphobic hate incidents or crimes?'* Seven of the respondents had experience in dealing with transphobic hate incidents or crimes with two having *'a lot of experience'*, one having *'some experience'*, four having *'few experiences'*, while six respondents stated that they had *'none'*. The two officers with a lot of experience both worked on the *'monitoring of transphobic hate crime files'* and therefore had a good overview of the situation across Northern Ireland in regards to transphobic incidents and crimes. Respondents that had had some experience of transphobic incidents and crimes were based in the North Down DCU, while the four HIMLOs with few experiences were based in C District,⁴⁵ Foyle DCU, North Belfast DCU and Newry and Mourne DCU respectively. The latter lamented the fact they *'usually hear of an incident some months after it has happened and the victim never reported it to [the] police.'* One HIMLO said *'[o]nly one report in the last several years would indicate massive under reporting.'* While another officer explained that *'[t]he majority of transphobic hate crimes in my experience tend to be verbal abuse, harassment and criminal damage to*

⁴⁵ This officer did not specify which DCU they worked in.

property', two others stated their experiences had been related to incidents of *'verbal abuse.'*

To follow up this initial question, respondents were asked *'[w]hat type of interaction, if any, have you had with the transgender community?'* Responses were varied with two HIMLOs stating that they *'work closely with the community'*, three respondents stated they had *'some contact with the community'*, two HIMLOs said they had *'very little contact with the community'* and another that they were *'only in contact when incident is reported'*. The two officers that could be said to work closely with the community are the same officers who said they had a lot of experience of transphobic incidents and crimes, their interaction was mainly through *'attendance at various groups such as the Pride committee, Queer Space and conferences'* and also through *'consultation...regarding hate crime leaflets.'* The three officers who have some contact with the community do so either *'on a one-to-one [basis] with victims'* or through local LGBT groups. Three respondents stated the only interaction they had with trans individuals was at a *'training event'* that one officer described as *'a presentation by member of TG group explaining their personal difficulties and experiences.'* This has been described by some of the officers who attended this event as eye-opening but as it was held two years ago it is hard to see this as sufficient interaction/engagement to make HIMLOs aware of the issues that affect trans individuals today. Two officers stated that they had *'no contact'* with trans persons at all. The level of interaction between the PSNI and the trans population therefore appears to be limited with few officers having built strong working relationships with the community.

In line with the previous question, respondents were asked *'[d]o you feel that you are aware of transgender issues?'* Three respondents said *'yes'*, another three said *'yes, but more training is welcome'*, three had *'some awareness'* and four stated they had *'no'* awareness. While the majority of respondents, eight, stated they had some level of awareness about trans issues only three of these respondents felt they had sufficient knowledge in this area. Two respondents noted that *'there is always room for additional learning'*, another said *'[i]f you are asking would I benefit from training'*

then the answer would be yes’ while one HIMLO said *‘I have some awareness through 1 training day but more contact would increase awareness.’* Therefore five of the respondents who felt they had some awareness of trans issues would welcome additional training. On top of this four respondents felt they had no awareness of trans issues at all. There is therefore a need for HIMLOs to receive specific training on trans issues in order to raise awareness.

To conclude the questionnaire respondents were asked *‘[w]hat can be done to improve the level of reporting among the transgender community?’* Responses fell into eleven categories with most HIMLOs giving multiple answers. A *‘partnership approach’* was stated by six respondents as a means *‘to encourage the transgender community to report hate crimes/incidents’*. Five HIMLOs said that *‘promotion of third party reporting via support organisations’* and *‘build[ing] trust with trans community’* could improve levels of reporting. Two respondents stated that the *‘police need to be pro-active’* and that there needs to be an *‘increase [in] knowledge among trans individuals’* to improve levels of reporting. While one respondent stated that:

- *‘support groups can encourage the reporting of incidents’;*
- *‘reporting should improve when it is seen that incidents are being dealt with seriously and sensitively’;*
- *‘closed courts where and when alleged offenders are brought there for transphobic crimes’;*
- *‘education of transphobic issues experienced given to officers,’* and that;
- *‘having more legislation to deal with offences [would improve levels of reporting among the trans individuals].’*

It is clear then that HIMLOs see the need for greater co-operation between the PSNI and the trans population through a partnership approach that would include the promotion of third party reporting mechanisms and increasing the level of trust among trans individuals. This should be seen as a dialectic process with both the PSNI and trans advocacy groups, such as The Oyster Group, the Belfast Butterfly Club and the Purple Group, being pro-active in creating a strong and sustainable working

relationship with the PSNI. Two respondents stated that they '*don't know*' how to improve levels of reporting among trans persons and were the same officers that had previously stated hate crime was not under-reported.

Raising Awareness of Hate

An area where the PSNI have been proactive as an organisation has been in the raising of awareness about the impact that hate incidents have on minority communities. This has been done through multiple channels including local events, the creation of posters, billboard advertisements and participation in a high visibility media campaign – Unite Against Hate.⁴⁶ Participation in local cultural events, discussed above, are useful means for spreading information regarding how and why to report hate incidents and in showing that the PSNI are proactive in attempts to tackle hate incidents. However, one officer said that '*there are a lot of local events, most, to be honest, are on racist and sectarian matters.*' There is thus a need to expand the events which the PSNI participate in to include local disability, faith, LGB and trans events in order to increase awareness among the communities affected by these forms of hate incidents.

The PSNI have also developed posters for five out of the six recognised categories of hate crime, currently there is no poster to raise awareness of transphobic hate crime. These posters are designed with an emotive image that reflects the damage and hurt caused by hate incidents and has the slogan '*Nobody deserves this. And nobody deserves to get away with it,*' followed by both the emergency and non-emergency telephone numbers to call, and the PSNI website address where an individual can report confidentially online. These posters, which were displayed on billboards across Northern Ireland, have an important message not only for individuals and communities who may suffer from hate incidents but also the wider the public. The PSNI feel that it is important to get the message across to everyone in Northern Irish society that hate crime is unacceptable and that they should not ignore it if they see a hate incident occurring. This point was expressly made by one officer who said

⁴⁶ The Unite Against Hate campaign will be discussed in greater depth in the following chapter.

‘victims of hate crime, while they are pretty annoyed at the person who does it [the perpetrator of the hate incident], they are more annoyed about the person who walks by and doesn’t do anything about it.’ The PSNI are thus proactively engaged with attempting to raise awareness among the whole population and to stigmatise the act of committing an act of hate. Unfortunately, however, there is no anti-transphobic poster at this moment in time. One officer noted that it had originally been conceived as covered in the anti-homophobic poster due to the close link between the LGB community and trans population, although they were currently designing a poster regarding transphobic hate crime. Another officer mentioned that there had been difficulties in agreeing an image to be used on the anti-transphobic poster.

Conclusion

The PSNI were found to be fulfilling the aims and objectives set out in their Policy Directive 02/06 to differing degrees of success. HIMLOs’ current level of community engagement appears to be good, with such engagement being seen to be very beneficial. However, some HIMLOs reported much more limited forms of engagement with communities affected by hate crime. The current level of training received by HIMLOs to date is varied, while the majority of respondents had received some training a minority of respondents stated they had received no training. Most respondents felt further training would be beneficial. The majority of HIMLOs showed a good understanding of why hate incidents are under-reported and were able to give positive suggestions of how to improve levels of reporting. Third party reporting was seen to be useful but needed to be promoted more and advocacy schemes were highlighted as potentially good ways of increasing levels of reporting and improving relations between minority communities and the PSNI. The PSNI was also shown to be pro-active in its attempts to raise awareness about hate crime among communities affected by hate incidents and the wider population.

HIMLOs were found to have little experience in dealing with transphobic hate incidents. There also appeared to be little interaction between the majority of HIMLOs and the trans population, with a number of HIMLOs admitting that they had

no knowledge of trans issues. There was consensus among the majority of HIMLOs that training regarding trans issues would be beneficial. A number of HIMLOs saw community engagement as a good means of increasing the levels of transphobic hate crime reported to the PSNI.

Overall, the PSNI should be seen as working hard to respond robustly and sensitively to hate crime. However, one key theme that has emerged is that currently there is a lack of standardisation across how HIMLOs engage with communities affected by hate incidents, how the HIMLOs have been trained, and in the types and location of advocacy schemes. This lack of standardisation may contribute to the PSNI failing to consistently ensure that every reported incident is investigated to the same standard and that every victim receives the same level of assistance and support.

In the following chapter we take a look at some of the initiatives undertaken by other organisations within Northern Ireland, and in Great Britain, some of which the PSNI are affiliated with.

7. Policy and Practice Relating to Transphobia

Over the past number of years statutory and support agencies in Northern Ireland, and in Great Britain, have begun to develop practices to help prevent hate incidents and support the victims of such incidents. The development of policies, procedures and initiatives to tackle hate crime in many sectors including within statutory agencies, such as Belfast City Council and the Northern Ireland Housing Executive (NIHE), public service organisations, such as Unison, as well as not-for-profit agencies, such as the Unite Against Hate Campaign, and can be seen as the reflection of society's condemnation of hate crime and the need to support victims of such crime.

In this chapter we discuss some of the initiatives that have been developed in response to hate crime in general, as well as highlighting examples of good policy and practice specifically orientated towards transphobic hate crime.

Belfast Community Safety Partnership

The work of the Belfast City Council Community Safety Partnership (CSP) focuses on giving advice on community safety matters, information on best practice and training opportunities, guidance on regional policy and strategy, assistance with coordinating partnership projects and investment in services. The CSP 2005-08 strategy aimed to improve community safety in five main areas: young people, violent crime, vulnerable people, property crime and drugs and alcohol. The current CSP strategy 2008-11 has four priority areas: anti social behaviour; alcohol fuelled violent crime; dealing with hate crime; and helping people feel safer. In relation to vulnerable people, the CSP aim to reduce the fear of crime amongst the most vulnerable, to influence others to reduce the fear of crime, to contribute to a reduction in the level of prejudice and hatred that leads to crime, to reduce the incidents of crimes motivated by prejudice and hatred, to support the victims of offences motivated by prejudice and hatred, to work in partnership to reduce the incidents of child abuse. It is quite clear from these aims that closely linked to the CSP's notion of 'vulnerable people' are

victims who suffer from incidents motivated by prejudice and hate. Indeed hate crime is a strategic area in which the CSP currently channels its energies and resources.

The CSP is currently involved in the development of projects directed at increasing the availability of hate crime training and in tension monitoring. The training programme that CSP have designed with the organisation Healing Through Remembering is currently being audited and is designed for hard-to-reach groups, such as offenders and young people that live in hate crime 'hot spots.' CSP have also recently employed a dedicated hate crime officer who is involved in tension monitoring that allows for the potential to map possible areas of community friction. Using the Institute of Community Cohesion's (iCoCo) tension monitoring scheme as its template, the CSP aims to enact preventive measures through the Evidence, Experience, Potential (EEP) risk assessment tool that allows the user to grade community tensions. While this programme has just started the CSP's hate crime officer stated that it had already been shown to be useful in diffusing situations with the potential to cause community unrest. Gathering information through a steering group, made up of representatives of relevant community groups and organisations as well as other statutory agencies, allows the CSP to make informed strategic and operational choices. The hate crime officer expressed the importance of taking a '*holistic approach*' to hate crime and increasing the level of engagement between affected communities and statutory agencies in order to identify community issues and increase the current level of reporting of hate crime. A member of CSP, however, admitted that currently there is a gap in regards to disability and that currently there is no representation from the trans population, although The Rainbow Project and Cara-Friend are involved. The CSP run two further hate crime initiatives, an Awareness Project which takes the form of small amounts of sponsorship for awareness raising events, and an annual Hate Crime Convention.

Northern Ireland Housing Executive

The Northern Ireland Housing Executive (NIHE) has in recent years launched a number of initiatives to assist individuals and families that have suffered from a hate

incident. The NIHE's commitment to tackling the issues of hate incidents is expressed in the document *Hate Harassment Support Pack*, which is available in both printed and electronic form. The support pack has been designed to help individuals who have experienced a hate incident, whether they live in Housing Executive accommodation or not, by outlining the procedures and powers available to the NIHE to tackle hate incidents and by providing useful information to victims. One such power is the provision of temporary accommodation and assistance if an individual is homeless or threatened with homelessness (NIHE 2008). Within the document the NIHE states it will

'treat any racist or sectarian harassment or harassment on the grounds of sexual orientation, political opinion or disability as a form of nuisance or annoyance likely to cause alarm or distress' (NIHE 2008: 8),

In this sense the NIHE equates hate harassment as a form of anti-social behaviour. Any tenant found to partake in hate harassment can receive sanctions including *'possession and injunction proceedings and Anti-Social Behaviour Order applications'* (NIHE 2008: 8); while there are also a range of actions that can be taken against an individual causing nuisance on a Housing Executive estate, even if they are not a tenant. Unfortunately, as is clear in the quote above, the NIHE currently recognises disability, race, sectarian/political and sexual orientation as categories of hate incidents with no mention of gender identity as a form of hate motivation. While transphobic harassment is clearly discussed and defined under the 'Sexual Orientation' banner, this belies the fact that transphobic incidents revolve around issues of gender identity and not sexual orientation. Labelling transphobic harassment as a form of *'harassment based on sexual orientation'* (NIHE 2008: 7), will undoubtedly alienate some trans individuals from the document as it denies the very premise of their identity and challenges their own conception of the hate harassment they have suffered. A way to remedy this issue may be that in future publications the NIHE refer to 'Sexual Orientation/Gender Identity', when discussing homophobic and transphobic harassment. However, as the discussion in previous chapters highlights this may still not be satisfactory for some members of the trans population.

The Support Pack contains useful information for individuals who have suffered from hate harassment that will assist individuals and families both in the immediate aftermath of an incident and in the weeks and months after it. For example, the Support Pack highlights the wider benefits of reporting hate crime, emphasising the preventive utility of reporting low level harassment that may not be considered a crime, as it allows the NIHE to identify underlying trends and to spot tensions early on, which could help to prevent further harassment or the escalation in the form of harassment. The document also gives guidance on how to report a crime, what an individual should do if their property has been damaged, if they are threatened with or become homeless, and if they are renting privately. There is also a useful list of support organisations that work directly with the communities affected by harassment based on sexual orientation, race and disability, with telephone numbers, e-mail addresses and web address included. However, as stated above, because transphobia is contained within the wider rubric of sexual orientation, there is no specific support organisation listed that deals primarily with issues of gender identity in Northern Ireland, such as The Belfast Butterfly Club or The Purple Group,⁴⁷ or those based in Great Britain, such as a:gender or Press for Change. Overall the document should be commended for the breadth of information it contains, as it moves beyond just condemning hate crime and offers practical information that can be easily utilised.

The 'Hate Incident Practical Action Scheme' (HIPA) is an initiative jointly supported by the NIHE, Community Safety Unit (CSU) of the Northern Ireland Office, and the Police Service of Northern Ireland (PSNI). The scheme aims to support persons living in their own home, NIHE-owned properties, and individuals who rent from the private sector who have suffered from a hate incident. The pilot scheme, launched in February 2007, offers victims personal protection if they have suffered from a hate incident at or near their home; and/or when a person's home has been damaged as a result of a hate incident. The scheme is available across Northern Ireland, and while it is not means-tested all hate incidents must be reported to the police to be eligible for support (Belfast Telegraph 2009). Once the incident has been confirmed to have taken

⁴⁷ The Oyster Group is not listed here as it is a referral based group.

place by the police, the HIPA scheme will entitle minimum repairs to be carried out to secure the property in question, with security film fitted if appropriate and a personal alarm set provided to the occupants (NIHE 2009). The scheme has been a relative success and was awarded 2nd runner up at the Criminal Justice Conference and Awards 2008. In 2008/09 there were 42 practical responses to private properties and 25 to Housing Executive properties (NIHE 2009a). Given the high proportion of hate incidents that involve criminal damage (see NISRA 2007; NISRA 2008; NISRA 2009) this initiative could be communicated more widely in order to increase awareness among victims and thus utilisation of the service. This would include the partners of the programme, especially the PSNI, in communicating to victims of hate incidents how to utilise the assistance the NIHE can provide and highlight the benefits the scheme offers.

The production of 'Hate Crime Cards' is another NIHE initiative that is aimed at supporting the victims of hate incidents and crimes. Launched in September 2009, in association with the PSNI, the Hate Crime Cards have been designed to simplify the reporting of hate incidents and be compact enough to carry at all times. The Hate Crime Cards have the slogan '*Report Hate Crime*' written on one side and on the other is the non-emergency PSNI telephone number⁴⁸ along with the Housing Executive's number. The cards have been translated into nine different languages, including Mandarin, Hungarian and Slovak,⁴⁹ and have been distributed across Northern Ireland in the hope of assisting individuals report hate incidents (NIHE 2009b). While the design focus of the card is of simplicity and compactness the Hate Crime Cards could be seen to contain too little information, with just the PSNI Helpline and Housing Executive telephone number listed. It would seem pertinent to have included more information on the cards, especially telephone numbers of support organisations that work closely with the communities most affected by hate incidents. For example on the card that has been translated into Mandarin the telephone number

⁴⁸ In the multiple versions of the NIHE's Hate Crime Cards that ICR received at a Hate Crime Conference organised by the Unite Against Hate Campaign on the 9th of September 2009 the telephone number for the PSNI was wrong. It read 0845 600 800, instead of 0845 600 8000.

⁴⁹ The full list of languages is: Portuguese, Spanish, Traditional Mandarin, Simplified Mandarin, Romanian, Slovak, Lithuanian, Hungarian, Polish and English.

of the Chinese Welfare Association could have been included. Similarly cards could have been targeted specifically at the transgender community with the numbers of organisations that trans people would feel comfortable contacting, such as the Belfast Butterfly Club, the Purple Group or A:Gender. In order to report an incident of hate, the individual must feel safe and secure with the person to whom they are reporting and the well documented anxiety, distrust and fear of the police by communities that suffer from hate incidents suggests that the telephone numbers provided will not necessarily encourage people to report a hate incident. This point is especially pertinent in regards to ethnic minorities who may have English language difficulties and therefore may not necessarily be able to converse with the telephone operator of the PSNI or NIHE. Another way to improve the cards could have been the inclusion of websites that allow individuals to report hate crime online, including the PSNI's own online hate crime reporting form. This would be especially useful for trans individuals who may not be confident speaking to strangers on the telephone.

Unison

The challenges faced by trans individuals during the process of transitioning, and the ongoing anxiety of 'passing' and the fear of being 'outed' are often most evident in the workplace. In 2009 the public service trade union Unison outlined its commitment to promoting equality for trans workers and tackling transphobic prejudice and harassment in the workplace. Unison has produced two broad and informative documents (Unison 2009; Unison 2009a), which are available online, that cover many of the issues that are pertinent to the promotion and maintenance of equality in the workplace. In the document '*Workforce monitoring for sexual orientation and gender identity*,' Unison outline their recommended approach to implementing '*explicit lesbian, gay, bisexual and transgender equality policies*', as well as stressing the need and utility of monitoring such policies (Unison 2009: 1). The documents pay careful attention to the differences between issues of sexual orientation and gender identity, stating that whilst there are '*some similarities between monitoring sexual orientation and monitoring gender identity...there are crucial differences*' (Unison 2009: 1). Unison clearly outline the purpose and challenges of designing and implementing

equality policies and monitoring procedures, taking time to discuss complex issues including maintaining confidentiality, what should be said on monitoring forms and the importance of consultation.

In the document '*Bargaining for transgender workers rights*', Unison give an instructive discussion on the prejudice and harassment faced by trans individuals in employment. The document is robust with a succinct summary of the legal status of trans individuals and a detailed examination of how such legislation impacts workplace practices. Covering issues such as harassment, recruitment and interviews, redeployment and retirement, pensions and insurance, and dress codes, Unison have created a clear and precise guide for employers to create and uphold an inclusive policy that will ensure equality in the workplace for trans individuals. Working in partnership with Press for Change and the Scottish Transgender Alliance, Unison has ensured a high level of accuracy in their discussion of gender identity issues and presented a thorough discussion on the difficult topic of transition at work.

Unite Against Hate

Launched in September 2009, the Unite Against Hate campaign (UAH) has been a high profile media campaign aimed at increasing awareness about hate crime in Northern Ireland. The UAH campaign is a multi-agency initiative with partners including the PSNI, the Office of the First and deputy First Minister, the Equality Commission, the Community Relations Council, the Northern Ireland Office Community Safety Unit. The objectives of UAH are to promote tolerance and peace in Northern Ireland as both desirable and possible; to raise awareness among the general public about the insidious nature of hate crime and the wider societal impact it has on everyone's quality of life, as well as Northern Ireland's reputation and economy; to create a climate of zero tolerance for hate crime and discrimination by promoting equality and the enforcement of rights; and to promote the benefits of a diverse society. The aim of the campaign is to be as visible as possible in order to ensure the message of the UAH campaign is heard by everyone. In order to do this the UAH campaign has enlisted the help of local singers, comedians, actors, sports stars,

as well as associating itself with a number of high profile cultural events such as Chinese New Year celebrations, Indian Festival of Colours and Polish Cultural Week.

Existing Approaches in Great Britain

A number of organisations in England have produced booklets specifically dealing with homophobic and transphobic hate crime, which are full of advice for individuals who have suffered from hate incidents. The utility of these booklets is that they are designed to provide advice on how and what can be reported, what you should record and what happens after an incident has been reported. One example is the booklet '*Homophobic & Transphobic Hate Crime: A guide to preventing and reporting crime against lesbian, gay, bisexual and transgendered people*' (2005) released by Leicestershire Constabulary in partnership with the LGBT Community Safety Forum. The booklet contains useful information vital to successfully reporting a crime, which may not be immediately apparent to victims of hate incidents, such as what to record, including details of perpetrators, vehicles and witnesses. There is also information regarding whether an individual will have to attend court, suggestions for precautions an individual may take to help them feel safer, as well as details of the issues faced by young people, and the impact of homophobic and transphobic bullying. Another excellent feature of this booklet is that along with the information provided there is a reporting form provided in the centre pages of the booklet, the reporting form is also available to download from the website as a standalone document.

The Domestic Violence and Hate Crime Team in the London Borough of Hackney have released a handbook on *Homophobic and Transphobic Hate Crime* (2007). This booklet contains similar information to the Leicestershire one but also details the reasons why people may not report a crime, and then follows this up with a discussion on what the point is of reporting an incident. This is relevant as it informs readers that their fears and anxieties regarding reporting an incident are not unusual but that they are important to overcome. The booklet also contains an order form, which enables the reader to request a copy of the document in ten different languages, as well as in large print, in Braille, on disk, and on audio tape.

Brighton and Hove City Council, as part of their Safe in the City campaign, have launched an '*LGBT Strategic Action Plan 2008-2011*' (2008). Listed within the document are eight key outcomes that are sought for the next three years, priorities that were identified through a series of action planning meetings with representatives from local LGBT community agencies and the police. While it is not relevant to list all of the strategic priorities set out by Brighton and Hove City Council, the document highlights an example of good practice in communicating, in a clear and precise manner, the aims of the city council in tackling LGBT hate crime. The document serves to provide a baseline of the current needs of the affected community, as well as a record of the goals set by the council, which, in time, can be used to measure the progress the city has made in tackling LGBT hate crime.

The Scottish Transgender Alliance is an organisation that works to ensure transgender individuals and groups, as well as statutory, voluntary, community and commercial sectors, have the necessary high quality, evidence-based support and information to improve transgender inclusion, equality and rights. On the Scottish Transgender Alliance website (<http://www.scottishtrans.org/Index.aspx>) there is a extensive outline of good practices to follow, which covers a wide range of topics and issues that impact trans individuals. Covering general topics such as confidentiality, use of pronouns, and inappropriate questions, as well as more specific issues of employment, health and social care, higher education, gender reassignment, criminal justice, housing and community, youth and family and rural transport. The Scottish Transgender Alliance has created a comprehensive resource for individuals, service providers and employers to approach trans issues in a sensitive and appropriate manner.

Conclusion

There currently exists a host of initiatives in both Northern Ireland and Great Britain aimed at raising awareness of hate crime among affected populations and the general public as well as programmes aimed at helping the victims of such crimes. A number of examples were highlighted such as information packs for victims, which provide practical, useful advice. There are also a number of organisations that have published documents and information on their websites specifically relating to gender identity issues. Such information can be easily accessed and will prove useful for organisations and statutory agencies that aim to improve their knowledge, as well as their policies and protocols relating to trans individuals.

8. Summary and Recommendations

The PSNI are continuing to make progressive strides in the area of hate crime to ensure that all victims of hate crime are treated appropriately, sensitively and with the same standard of care and attention as one another. However, this report has found that many victims of transphobic hate incidents have a lack of confidence in the police due to past negative experiences, which has an impact on an individuals' willingness to report transphobic hate incidents to the PSNI. Whilst the PSNI have enacted a robust set of policy and procedural guidelines to tackle the challenges posed by hate crime, it was found that currently there is a lack of standardisation both in the training and approach of HIMLOs, as well as the manner in which hate crime is handled in different policing districts.

Recommendations for Further Action

1. Develop a Social Educational Programme of Awareness of Trans Issues

Transphobia is perceived to be widespread among the general population of Northern Ireland. The majority of trans individuals believe that transphobia stems from a lack of education and awareness regarding trans issues. This lack of education regarding trans individuals has led to a proliferation of myths about trans persons that are used to justify harassment and abuse. In order to address widespread transphobia and dispel such myths it is necessary that a broad social education programme be enacted. Such a programme should have a special focus on young males who have been found to be the main perpetrators of transphobic incidents. The programme could be led by an organisation such as the Equality Commission but have heavy involvement from the three main trans support groups – The Belfast Butterfly Club, The Oyster Group and The Purple Group – and should involve organisations from the LGB community, statutory agencies and political parties and could link in with campaigns such as Unite Against Hate.

2. A Working Group on Trans Issues

In line with the preceding recommendation, a working group to identify the specific issues faced by and the needs of Northern Ireland's trans population could be set up. This working group could then advise both government and statutory bodies on possible ways of improving policy and procedures relating to trans individuals. The working group could be facilitated by the OFMdfM's Gender Equality Unit and have input from members of the trans population. The findings of the working group could then be worked into any future Gender Equality Strategy.

3. Increase Awareness of Trans Issues among the PSNI

HIMLOs were found to have limited knowledge regarding trans issues and it is inferred from this that other members of the PSNI will also have little awareness of such issues. There is thus a pertinent need to provide members of the PSNI with accurate and relevant information in order to help them to handle trans persons' cases appropriately and with the required sensitivity. It is acknowledged that training all members of staff on trans issues may be costly and time consuming. Any PSNI training programme relating to trans issues should therefore target priority members of staff, initially this may be focused on HIMLOs. Training should be classroom based and should cover issues relating to all members of the trans population, including transsexual people, cross-dressers and intersex individuals, among others. Ideally any training will involve the participation of trans individuals. Trans orientated training *could* be integrated within LGB training, but careful consideration must be taken to ensure the specificity of trans issues are not subsumed by LGB issues. Preferable trans training would form part of the training new recruits receive in relation to both gender and hate crime.

4. Increased Engagement between the PSNI and Trans Support Groups

There is currently little to no engagement between HIMLOs and trans support groups. Previously there had been engagement between a member of the PSNI and the Oyster Group. This was seen to be beneficial for increasing group

members' confidence in the police and the likelihood of them reporting a transphobic experience. This engagement has ceased to exist and has been seen by some to reflect a lack of interest in the trans population by the PSNI. The PSNI should open up channels of communication with support groups in particular to try to build a working partnership with members of the Belfast Butterfly Club, the Oyster Group and the Purple Group to establish a strong relationship with the trans population to increase confidence levels and possibly the level of reporting among said groups. These groups operate out of Belfast (the Butterfly Club and the Oyster Group) and Derry Londonderry (the Butterfly Club and the Purple Group), at least one officer in each of these locations should be designated the role of establishing and sustaining a link with the support groups that operate in their police district. Ideally this would be a HIMLO with appropriate training and/or the PSNI's LGB Support Officer.

5. Trans Persons' Participation in Independent Advisory Groups

In line with the previous recommendation, there are currently no trans individuals participating on any PSNI IAGs, including the regional LGBT IAG. It is pertinent that an invitation be extended to a trans person to serve on the regional LGBT IAG, IAGs in A District (North and West Belfast), B District (Central, East and South Belfast) and G District (Foyle, Limavady, Magherafelt, Strabane) as these locations have the largest trans population. However, it is necessary to ascertain if there is a need for trans representation in IAGs in other police districts. Such participation will require the willingness and ability of members of the trans population to be confident enough to participate in aforementioned IAGs.

6. Increase the Standardisation of HIMLOs' Role

This research has found that the role of HIMLOs currently lacks standardisation, which could mean that not all hate incidents are investigated to the same standard and that not all victims of hate incidents are receiving the same level of assistance and support. Lack of standardisation was found to be

a particular issue in relation to three key areas: training, engagement and advocacy schemes.

- **Training** – some HIMLOs feel that they have not been trained appropriately for their role, while the majority of those who feel they have received relevant training agreed further training would be beneficial. All current HIMLOs, and any future HIMLOs, should therefore be required to undertake a designated training programme to ensure that all HIMLOs are appropriately qualified to assist and support victims of hate incidents. Such a training programme should cover each of the six hate motivation categories recognised by the PSNI, have a focus on cultural awareness and be classroom based. This training could be provided internally or externally, although it may be of benefit if the training was accredited. Finally, a reasonable time frame should be afforded to existing HIMLOs to complete such training. The training programme should also be flexible enough to allow HIMLOs who can present evidence that they have already completed recent, relevant training in a specific area, e.g. in sectarian issues, that they are not required to undertake such training again.
- **Engagement** – currently HIMLOs operating in different DCUs have different levels of engagement with local communities affected by hate incidents. The PSNI's Policy Directive 01/09 (2009) on *Partnership Working*, gives useful information on creating, maintaining and evaluating partnerships, while the existing 'Foyle Protocol', for engagement with the LGB community forms a basis for a standardised procedure for HIMLOs to initiate partnerships with relevant community groups and/or voluntary organisations within their DCU. The priority of this endeavour should be the setting up of independent advisory groups (IAGs) in all police districts, in order to inform strategic and operational activities within specific police district areas and DCUs. Care should be taken to ensure that such IAGs are inclusive, with representatives of each of the six hate motivation categories recognised by the PSNI invited to participate in IAGs, and

not only those deemed to be statistically relevant. HIMLOs should also be strongly encouraged to support and participate in local cultural events, which are felt to increase community confidence in the PSNI.

- **Advocacy Programmes** – the bilingual advocacy programme currently being trialled in B District has been seen to be beneficial in increasing community confidence in the PSNI and possibly lead to an increase in reporting of racially motivated hate crimes. Funding has been secured for an LGBT advocacy programme to operate across A and B District. If these programmes are found to have a utility an audit should be undertaken to ascertain the viability of having relevant advocacy programmes in each police district.

7. Integration of Trans issues into existing efforts to tackle Hate Crime

Agencies such as the Belfast Community Safety Partnership, the Northern Ireland Housing Executive (NIHE) and the Unite Against Hate campaign are currently enacting a broad range of positive initiatives in an attempt to prevent hate crimes from occurring, support and assist the victims of such crimes and to raise awareness of issues surrounding hate crime. However, to date the issues faced by trans persons have not been taken into full account by said agencies. Such agencies could improve their ability to serve the needs of trans individuals affected by hate crime by training relevant staff in the issues faced by trans person; and by including trans representatives on their thematic and / or steering groups in order to ensure trans issues are taken into full consideration when developing current initiatives or in the planning of new initiatives to tackle hate crime. Especially important in this regard is that the specificities of trans issues be appreciated and that they are not conflated sexual identity issues.

8. Increase Awareness of Trans Issues among Statutory Agencies

This research has found that trans individuals experienced inappropriate behaviour, which could be deemed discriminatory, whilst accessing the services of statutory agencies, including the health system, housing

associations, and city councils. Increased awareness of trans issues could prevent vulnerable individuals from receiving discrimination while using public services. Unison has produced two robust documents that outline trans issues in the workplace (see Unison 2009 and 2009a) and The Scottish Transgender Alliance have created a comprehensive section on their website relating to good practice,⁵⁰ both of which could be drawn upon by statutory agencies to form clear practical policy and procedural guidelines relating to trans persons, both individuals undergoing transition in the workplace and persons utilising their services, in line with Northern Irish legislation that relates to trans individuals.

9. Trans Issues to be Included in the School Curriculum

The majority of trans individuals expressed experiencing feelings of gender discomfort from a young age, and expressed dismay at the lack of awareness and available knowledge surrounding gender identity issues. Sensitive and age appropriate information taught in school would help individuals who are feeling confused about their gender identity, possibly suffering from health concerns and perhaps even being bullied to come to terms with their gender identity. Any education programme should therefore also cover issues of transphobia and transphobic bullying.⁵¹ The Department of Education (DENI) should aim to include gender identity issues into the curriculum in a similar manner as with the inclusion of sexual orientation issues through the Circular 2001/15 on Relationships and Sexuality Education (see DENI 2010).

10. Increase Awareness of Issues of Personal Safety and Self-Protection Among Trans Individuals

Interviewees reported having significant fears for their personal safety. Trans support groups should work in conjunction with other relevant bodies, such as the PSNI, to develop a strategy to raise awareness of personal safety issues and to develop information or a training programme for trans persons.

⁵⁰ See http://www.scottishtrans.org/Transgender_Good_Practice.aspx

⁵¹ The Home Office has produced a robust document that covers such issues (see Reed et al. 2008).

11. Increase Resourcing for Trans Organisations and Trans Issues

Many of the recommendations suggested will require input from trans individuals or participation of trans support groups. Currently neither The Belfast Butterfly Group nor the Purple Group have the resources to employ a dedicated worker and are run on a voluntary basis, and thus have limits in their capacity to engage with statutory agencies, raise awareness of trans issues and respond to policy developments. Over recent years a greater amount of resources have been provided to sub sections of Northern Ireland's population, including minority ethnic groups and the LGB community, similar acknowledgement of trans issues needs to be made by the OFMDFM and local funding bodies, particularly in the Belfast area and in Derry Londonderry, and more funding needs to be made available for this constituency.

12. Further Research on Trans Issues

There has been little research conducted on trans issues in Northern Ireland. While attending to the gap in available information regarding trans persons' experiences of transphobic hate incidents, the reporting of such incidents and the relationship between the trans population and the PSNI, it has, however, left many stones unturned. There is a need to increase the available information regarding trans persons (including through relevant focused research) so that service providers and statutory agencies can attend to this constituency's needs appropriately and sensitively. Of particular importance is the area of healthcare needs, an issue which arose consistently throughout focus groups and interviews.

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Appendix 1 – Online Transphobic Incident Survey

A Report on the Experiences of Transgendered Individuals Reporting Hate Crime in Northern Ireland Conducted by the Institute for Conflict Research (ICR)

Dear Respondent,

I am inviting you to participate in a research project to study the experiences of transphobic hate crime in Northern Ireland. It has been commissioned by Belfast City Council and the Office of the First Minister and Deputy First Minister on behalf of Government Departments. Along with this letter is a short questionnaire that asks a variety of questions about your feelings regarding safety, your experiences of transphobic hate crime and of reporting such incidents to the PSNI. I am asking you to look over the questionnaire and, if you choose to do so, complete it and send it back to ICR in the pre-paid envelope provided. It should take you no more than twenty minutes to complete.

The aim of this project will be used to make policy recommendations to statutory agencies, including the Office of the First Minister and Deputy First Minister, Belfast City Council and the PSNI, to improve their response to transphobic hate crime. Through your participation, ICR hope to understand if transphobic hate crime is under-reported in Northern Ireland and, if so, why people decide not to report transphobic hate crime to the PSNI. ICR hope that the results of the survey will be useful for highlighting the levels of prejudice and victimization the transgender community face in Northern Ireland and hope to share our results through the publication of a final report.

ICR hope that the sensitive issues covered in this questionnaire are not too painful for you to recount, and guarantee that your responses will not be identified with you personally. ICR promises not to share any information that identifies you with outside agencies and ensure that all response will remain completely confidential. In this regard it is important not to put your name on the questionnaire.

The survey should take you about twenty minutes to complete. I hope you will take the time to complete this questionnaire and return it. Your participation is voluntary [and there is no penalty if you do not participate]. Regardless of whether you choose to participate, please let ICR know if you would like to be made aware of when the report will be published and how to access it.

If you have any questions or concerns about completing the questionnaire or about being in this study, you may contact me at 028 90742 682, alternatively you can e-mail me at r.mcbride@conflictresearch.org.uk

Sincerely,

Ruari-Santiago McBride,
Researcher

This is a confidential survey conducted by the Institute for Conflict Research (ICR) and is about transphobic incidents in Northern Ireland. It has been commissioned by Belfast City Council and the Office of the First Minister and Deputy First Minister on behalf of Government Departments.

1. How old are you?

-16 16-20 21-30 31-40 41-50 51-60 60+
☐ ☐ ☐ ☐ ☐ ☐ ☐

2. Are you: ☐ Male ☐ Female

3. Is your gender identity the same as the gender you were assigned at birth?

☐ Yes ☐ No

4. Do you live and work full time in the gender role opposite to that assigned at birth?

☐ Yes ☐ No

5. Are you:

<input type="checkbox"/> In full time employment	<input type="checkbox"/> In part time employment
<input type="checkbox"/> Self-employed	<input type="checkbox"/> Unemployed
<input type="checkbox"/> 'Signed off' long term sick	<input type="checkbox"/> Retired
<input type="checkbox"/> Student	<input type="checkbox"/> Carer
<input type="checkbox"/> Other (please specify) _____	

Safety

6. How safe do you feel in the following places

1= very safe, 2= quite safe, 3= quite unsafe, 4= very unsafe, 5= don't know, 6= not applicable

☐ In your home
☐ Town/city centre
☐ In street outside home/local neighbourhood
☐ At work
☐ In bars/restaurants generally
☐ In the streets generally at night
☐ In the streets generally during the day

7. How often do you worry about your safety?

☐ Always
☐ Frequently
☐ Sometimes
☐ Rarely
☐ Never
☐ Unsure

Experiences of transphobic incidents

8. Have you ever suffered from a transphobic incident?

☐ Yes ☐ No ☐ Unsure

9. If, yes, which of the following have you experienced (**Please tick all that apply**)

	Past 12 months	1-5 years	6+ years
Intimidated be being followed on foot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intimidated be being followed by car	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stalked	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Verbally insulted or threatened	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blackmailed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Received hate/abusive mail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Received offensive/obscene phone-calls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had offensive graffiti written about you	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle or other property vandalized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle or other property stolen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Been spat on	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had something thrown at you	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attempted physical assault against you	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Been mugged or robbed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Been physically assaulted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Been sexually assaulted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. What made you think these were transphobic incident(s)? (**Please tick all that apply**)

- ☐ They knew me
☐ I was with other trans people
☐ They called me abusive names
☐ They could tell because of how I dressed
☐ They could tell because of where I was
☐ I don't know
☐ Other _____

11. Where did these incidents occur? (**Please tick all that apply**)

- ☐ At work
☐ In the street near work
☐ At home
☐ In the street near my home
☐ In a general bar/restaurant
☐ In the street outside a general bar
☐ Inside an LGB bar
☐ In the street outside a LGB bar
☐ In the street elsewhere
☐ In a park/open space

- ☐ At school/university/college
☐ Other_____

12. About the people who did this to you: **who** were they? **(Please tick all that apply)**

- ☐ Neighbours
☐ Other local resident(s)
☐ Friend(s)
☐ Relative(s)
☐ Work colleague(s)/client(s)
☐ Fellow student(s)
☐ Some other(s) you know
☐ Some other(s) you had seen before but didn't know
☐ Some other(s) you had never seen before
☐ Don't know – didn't see them
☐ Other_____

13. Again, about the person / people who did this to you, please indicate their sex:

- ☐ Male ☐ Female ☐ Both ☐ Don't know

14. Again, about the person / people who did this to you, please indicate their sex:

- ☐ Child ☐ Youth ☐ Adult ☐ Don't know
(up to 16) (16-25) (over 25)

Reporting incidents

15. Have you ever reported a transphobic incident?

- ☐ Yes, always
☐ Yes, sometimes
☐ No, never

16. If yes, who did you report the incidents to **(Please tick all that apply)**

- ☐ Police
☐ LGB organisation
☐ T organisation
☐ Doctor / Hospital
☐ Housing Agency
☐ Victim Support scheme
☐ Solicitor/legal adviser
☐ Citizens Advice Bureau
☐ Politician (MP, MLA, Councillor)
☐ Friend/family
☐ Other_____

☐ Did not report incident

17. If reporting to the police – how did you go about it? **(Please tick all that apply)**

- ☐ Approached police on the street at the time of the incident

- ☐ Went to nearest police station immediately
- ☐ Went to police station some time later
- ☐ Phoned 999 immediately
- ☐ Phoned police station sometime later
- ☐ On the internet
- ☐ Other _____

18. How satisfied were you with the way the police handled matter?

- ☐ Very satisfied
- ☐ Fairly satisfied
- ☐ Fairly dissatisfied
- ☐ Very dissatisfied
- ☐ Victim Support scheme
- ☐ Other

19. What was the outcome?

- ☐ Heard nothing from police since reported the incident
- ☐ The police got back in contact with me, and told me how they had followed up the incident (please give details)

- ☐ Other (please give details)

20. If you did not report or were reluctant to do so – was it because of some of the following reasons (**Please tick all that apply**)

- ☐ Didn't want anyone to know or be 'outed'
- ☐ Worried that police would respond in transphobic manner
- ☐ Thought it would not be taken serious/laughed at
- ☐ Didn't feel the police could help
- ☐ Didn't feel that the police would be interested
- ☐ Previous poor relationship with the police
- ☐ Fear of provoking reprisal or aggravating situation
- ☐ It was a private/personal/family matter
- ☐ Was too upset/traumatised to report it
- ☐ It wasn't convenient
- ☐ It was too trivial
- ☐ Non-cooperation with the police for political reasons
- ☐ Transphobia is just a fact of life –not worth reporting
- ☐ The incident wasn't actually a crime
- ☐ Contacted someone else
- ☐ Other _____

21. How have transphobic experiences affected you (Please tick all that apply)

- ☐ I experienced stress and fear
- ☐ I needed medical attention
- ☐ I needed time off work
- ☐ I had to move house
- ☐ I have had nightmares
- ☐ I have been very angry
- ☐ I have suffered from mental health issues
- ☐ I suffered no ill effects
- ☐ Other _____
- ☐ Don't know

22. Any other comments? (please continue on another page)

Thank you for taking your time and effort to fill this questionnaire out. We realise that some of the questions may have brought back distressing or traumatic memories. Should you wish to talk to someone about these experiences, there are a number of organisations able to offer support:

The Belfast Butterfly Club: 028 9267 3720 (Wednesdays 8pm -10pm)

Rainbow: 02890319030 (Belfast Office) / 02871283030 (Foyle Office)

Gender Essence: 08452310505

It is important that all incidents of hate crime are reported to the PSNI, even if you do not feel it is worth doing. A report today can help prevent a crime tomorrow. You can report an incident of hate crime:

In an emergency call: 999

For non-emergencies call: 0845 600 8000

To report anonymously online go to: <http://www.urzone.com/hatecrime/hatecrime.asp>

Appendix 2 – Results from Online Transphobic Survey

Transphobic Hate Crime Survey

Q1) How old are you?

Age of respondent	Response Count	Response Percentage (%)
Under 16	0	0
16-21	0	0
21-30	5	28
31-40	6	33
41-50	4	22
51-60	3	17
Over 60	0	0
Total	18	100

Q2) Are you:

Gender	Response Count	Response Percentage (%)
Male	9	50
Female	9	50
Total	18	100

Q3) Is your gender identity the same as the gender you were assigned at birth?

Response	Response Count	Response Percentage (%)
Yes	0	0
No	16	100
Skipped	2	-
Total	18	100

Q4) Do you live and work full time in the gender role opposite to that assigned at birth?

Response	Response Count	Response Percentage (%)
Yes	13	77
No	4	24
Skipped	1	-
Total	18	100

Q5) Are you:

Answer options	Response Count	Response Percentage (%)
In full-time employment	6	33
In part-time employment	5	28
Unemployed	3	17
‘Signed off’ – long term sick	2	11
Student	2	11
Total	18	100

Q6) How safe do you feel in the following places?

Location	Very Safe	Quite Safe	Quite Unsafe	Very Unsafe	N/A	Skipped	Total
In home	5	11	2	0	0	0	18
Town/City Centre	2	8	5	2	0	0	18
Local Neighbourhood	2	6	8	2	0	0	18
At work	2	5	2	0	7	2	16
In bars/restaurants	1	6	7	0	1	1	17
In the streets at night	0	6	6	6	0	0	18
In the streets in the day	2	8	7	1	0	0	18
Total	14	50	37	11	8	3	-

Q7) How often do you worry about your safety?

Frequency	Response Count	Response Percentage (%)
Always	5	27.8
Frequently	7	38.9
Sometimes	4	22.2
Rarely	2	11.1
Never	0	0.0
Unsure	0	0.0
Total	18	100

Q8) Have you ever suffered from a transphobic incident?

Response	Response Count	Response Percentage (%)
Yes	13	77
No	3	18
Unsure	1	6
Skipped	1	-
Total	18	100

Q9) If, yes, which of the following have you experienced (please tick all that apply):

Answer Options	Past 12 Months	1-5 years	6 + years	Total number⁵²	Response Count⁵³
Intimidated by being followed on foot	5	6	1	12	9
Intimidated by being followed by car	2	4	1	7	5
Stalked	4	2	2	8	5
Verbally insulted or threatened	11	6	2	20	13
Blackmailed	2	0	0	2	2
Received hate/abusive mail	1	2	2	5	4
Received offensive/obscene phone-calls	2	3	1	6	6
Had offensive graffiti written about you	0	1	1	2	2
Vehicle or other property vandalized	4	2	1	7	6
Vehicle or other property stolen	0	3	1	4	4
Been spat on	1	2	1	4	2
Had something thrown at you	6	4	1	11	8
Attempted physical assault against you	1	3	2	6	5
Been mugged or robbed	1	1	0	2	2
Been physically assaulted	0	4	0	4	4
Been sexually assaulted	1	2	1	4	4
Other (please specify)	0	1*	0	1	1
Total**	41	46	17	-	

* Humiliation in public **This question was skipped by three respondents

⁵² These figures account for the total number of specific incidents that were reported to ICR.

⁵³ These figures account for the specific number of respondents that reported experiencing a specific type of transphobic incident.

Q10) What made you think these were transphobic incident(s)? (Please tick all that apply)

Answer Options	Response Count	Response Percentage (%)
They knew me	8	53
I was with other trans people	5	33
They called me abusive names	8	53
They could tell because of how I was dressed	4	27
They could tell because of where I was	3	20
I don't know	2	13
Other (please specify)	1	7
Skipped	3	-
Total	18	-

Q11) Where did these incidents occur? (Please tick all that apply)

Answer Options	Response Count	Response Percentage (%)
At work	3	21
In the street near work	1	7
At home	3	21
In the street near my home	7	50
In a general bar/restaurant	7	50
In the street outside a general bar	2	14
Inside an LGB bar	3	21
In the street outside a LGB bar	5	36
In the street elsewhere	7	50
In a park/open space	2	14
At school/university/college	1	7
Other (please specify)	2* **	14
Skipped	4	-

*Within foyer of main building ** At a weekend retreat

Q12) About the people who did this to you: who were they? (Please tick all that apply)

Answer Options	Response Count	Response Percentage (%)
Neighbours	5	36
Other local resident(s)	6	43
Friend(s)	1	7
Relative(s)	3	21
Work colleague(s)/client(s)	1	7
Fellow student(s)	1	7
Some other(s) you know	2	14
Some other(s) you had seen before but didn't know	3	21
Some other(s) you had never seen before	12	86
Don't know – didn't see them	0	0
Other (please specify)	0	0
Skipped	4	-

Q13) Again, about the person/people who did this to you, please indicate their sex:

Answer options	Response Count	Response Percentage (%)
Male	9	60
Female	0	0
Both	6	40
Skipped	3	-
Total	18	100

Q14) Again, about the person/people who did this to you, please indicate their age:

Answer options	Response Count	Response Percentage (%)
Child (under 16)	6	38
Youth (16-25)	12	75
Adult (over 25)	11	69
Don't Know	1	6
Skipped	2	-

Q15) Have you ever reported a transphobic incident?

Answer Options	Response Count	Response Percentage (%)
Yes, always	4	22
Yes, sometimes	5	28
No, never	9	50
Total	18	100

Q16) I yes, who did you report the incidents to (please tick all that apply):

Answer Options	Response Count	Response Percentage (%)
Police	9	69
LGB organisation	3	23
T organisation	2	15
Doctor / Hospital	2	15
Housing Agency	1	8
Victim Support scheme	1	8
Solicitor / legal adviser	1	8
Citizens Advice Bureau	0	0
Politician (MP, MLA, Councillor)	0	0
Friend / family	4	31
Did not report the incident	3	23
Other (please specify)	2* **	15
Skipped	5	-

*"Support worker" ** "Press Complaints Commission"

Q17) If reporting to the police – how did you go about it? (Please tick all that apply)

Answer options	Response Count	Response Percentage (%)
Went to nearest police station immediately	4	44
Went to police station some time later	2	22
Phoned police station sometime later	1	11
On the internet	1	11
Other (please specify)	1	11
Skipped	9	-
Total	18	100

Q18) How satisfied were you with the way the police handled the matter?

Answer Options	Response Count	Response Percentage (%)
Very satisfied	3	30
Fairly satisfied	0	0
Fairly dissatisfied	3	30
Very dissatisfied	4	40
Skipped	8	-
Total	18	100

Q19) What was the outcome?

Answer Options	Response Count	Response Percentage (%)
Heard nothing from police since reported the incident (please give details) *	4	50
The police got back in contact with me, and told me they had followed up the incident (please give details) **	5	63
Skipped	10	-
Total	18 ⁵⁴	-

* “Police did not think it was a problem and got my title wrong” / “Hear nothing from police since reported the incident” / “It was Jan 2005, hours after being attacked and hunted through the streets, i got to a police station. They took my details then ran me home in a police car.”

** “Eventually got report with my title wrong” / “Could not do anything” / “The police got back in contact with me and told me how they had followed up” / “After numerous phone calls to police and after having given the names and addresses of two of the youths I was told that they were unable to serve them with warrants as they were not at home any time they called” / “Police got back to me and reported progress but no outcome was obtained”

⁵⁴ One survey respondent stated that they both ‘heard nothing from the police’ and that ‘the police got back in contact’ with them, this may indicate that the respondent was discussing two different incidents that they reported.

Q20) If you did not report or were reluctant to do so, was it because of some of the following reasons (please tick all that apply):

Answer Options	Response Count	Response Percent (%)
Didn't want anyone to know or be 'outed'	1	10
Worried that police be transphobic	3	30
Thought I would not be taken serious/laughed at	5	50
Didn't feel the police could help	6	60
Didn't feel the police would be interested	6	60
Previous poor relationship with the police	2	20
Fear of provoking reprisal	3	30
Was too upset/ traumatised to report it	1	10
It wasn't convenient	1	10
It was too trivial	3	30
Transphobia is just a fact of life	1	10
The incident wasn't actually a crime	1	10
Skipped	8	-

Q21) How have transphobic experiences affected you? (Please tick all that apply)

Answer Options	Response Count	Response Percentage (%)
I experienced stress and fear	11	73
I needed medical attention	2	13
I needed time off work	1	7
I had to move house	2	13
I have had nightmares	4	27
I have been very angry	5	33
I have suffered from mental health issues	5	33
I suffered no ill effects	2	13
Skipped	3	-

Q22) Any other comments?

“Tired of police getting my title wrong especially after i have given them my correct title!”

“It takes a considerable amount of courage to report these crimes. the only reason that I did was in order to prevent this happening to others, but alas to no avail. This makes me very reluctant to 'stick my neck out' in the future.”

Appendix 3 – Questions E-mailed to HIMLOs

The Institute for Conflict Research is currently conducting a research project surrounding transphobic hate crime funded by the OFMDFM and Belfast City Council Community Safety Partnership. The research will focus on experiences of transphobic hate crime, as well as issues of the reporting and under-reporting of transphobic hate crime. We would be grateful if you could answer the following questions in as much or as little detail as you feel necessary.

Contact Details (all information will be held with the strictest confidence and no-one's details will be used in the final research report):

Name:

Position & District of employment:

Telephone number/e-mail address:

Would you be happy to discuss this issue further:

General Questions:

What are the most common types of hate crimes in your district?

What type of interactions/engagements do you have with the relevant communities (ethnic minorities, LGB groups, and transgender community) in your district?

What type of training/information have you received? Would you like to receive further training/information, if so what type?

Questions on Reporting:

Do you think hate crime is under-reported? If so, why?

What are your experiences of third party reporting? Do you think it is useful, i.e does it allow people to report a crime when they normally wouldn't?

Do you think there is a way to improve the level of reporting among vulnerable populations?

Transgender Questions:

What has been your experience of transphobic hate incidents or crimes?

What type of interaction, if any, have you had with the transgender community?

Do you feel that you are aware of transgender issues?

What can be done to improve the level of reporting among the transgender community?

If you have any questions or suggestions regarding this research please contact Ruari McBride (r.mcbride@conflictresearch.org.uk) or Ulf Hansson (u.hansson@conflictresearch.org.uk) at the Institute for Conflict Research (028 9074 2682).

Appendix 4 - Quantified Responses to the HIMLO Questionnaire:

General Questions:

Q1. What are the most common types of hate crimes in your district?

Response	Disability	Faith	Homophobic	Race	Sectarian	Transphobic
Number	2	2	7	12	13	2

Q2. What type of interactions/engagements do you have with the relevant communities (ethnic minorities, LGB groups, and transgender community) in your district?

Response	Engagement with voluntary agencies	Consultation with Independent Advisory Group members	Support for cultural events and organisations	Follow up to hate incidents /ad hoc basis	At training events	Engagement with thematic groups
Number	10	8	5	2	1	1

Q3. What type of training/information have you received?

Response	Internal training	External training	No specific training	HIMLO meetings	Negligible
Number	8	6	2	2	1

Q4. Would you like to receive further training/information?

Response	Yes	No	Neither yes or no stated
Number	9	1	3

Questions on Reporting:

Q5. Do you think hate crime is under-reported?

Response	Yes	Yes, but increasing	No
Number	10	1	2

Q6. If YES, why?

Response	Number
Fear or dislike of police	2
Lack of knowledge about procedures	6
The perception that police would not or could not do anything about the crime/incident	5
The perception that the report would not be taken seriously	2
Lack of confidence in police and wider criminal justice system	6
Previous negative experience of the police and wider criminal justice system	5
That the PSNI, and/or PSNI officers are biased	2
Fear of reprisal	6
Not worth reporting	2
Fear of being 'outed'	3
Hope issue will go away and not happen again	2
Movement of people who may not be reached through minority groups or other contacts	1

Q7. What are you experiences of third party reporting?

Response	A lot of experience	Some experience	Few experiences	None / Don't know
Number	2	7	2	2

Q8. Do you think it is useful, i.e does it allow people to report a crime when they normally wouldn't?

Response	Yes	Yes, but service needs to be promoted	No	No response
Number	3	5	1	4

Q9. Do you think there is a way to improve the level of reporting among vulnerable populations?

Response	Number
Increase knowledge among vulnerable groups	1
Consultation with the vulnerable populations	6
Reporting mechanisms should be made to be user-friendly, approachable and supportive	5
Increase confidence among vulnerable populations	4
Confidential methods should be provided	2
Promotion of 3 rd party reporting	2
Community / Support groups can encourage people to report	1
Reporting will increase when it is seen that incidents are being dealt with seriously and sensitively	2
Having specific legislation in line with other police forces in UK Mainland and awareness of its existence may encourage reporting	1
Maintaining contact with easier to reach groups/ churches and organisations	1
No, people will report hate crimes if they feel it is a hate crime	1
Don't know	1

Transgender Questions:

Q10. What has been your experience of transphobic hate incidents or crimes?

Response	A lot of experience	Some experience	Few experiences	None
Number	3	1	4	6

Q11. What type of interaction, if any, have you had with the transgender community?

Response	Work closely with the community	Some contact with the community	Very little contact with the community	Only in contact when incident is reported	Only at a training session	No contact
Number	2	3	2	1	3	2

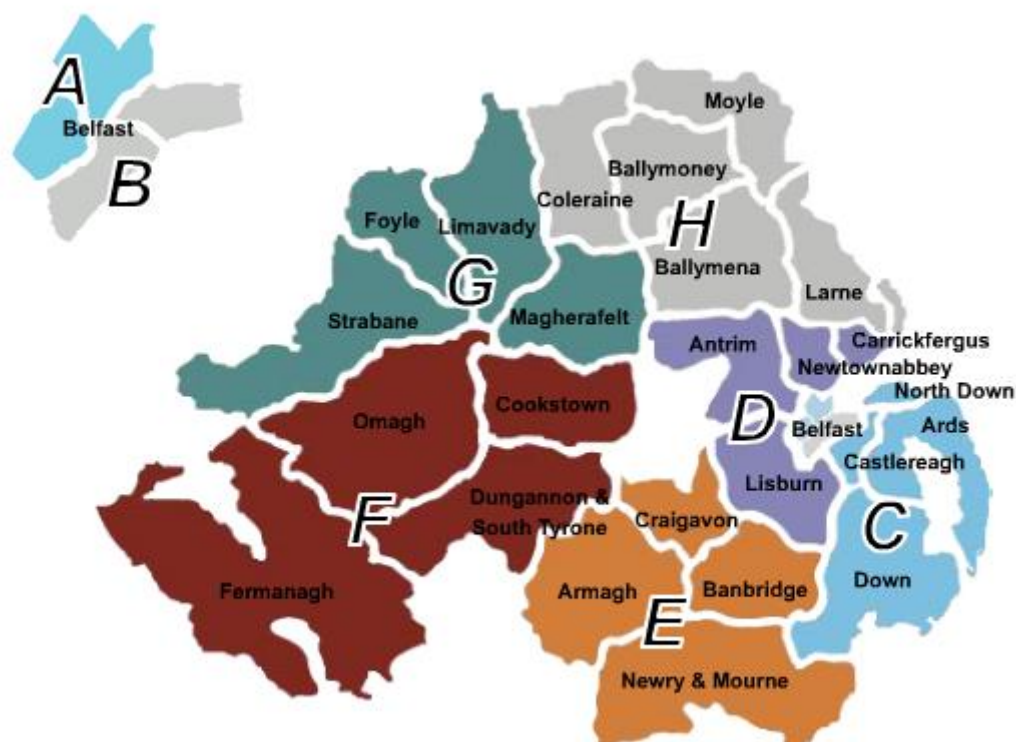
Q12. Do you feel that you are aware of transgender issues?

Response	Yes	Yes, but more training is welcome	Some awareness	No
Number	3	3	3	4

Q13. What can be done to improve the level of reporting among the transgender community?

Response	Number
Increase knowledge among trans individuals	2
Partnership approach to encourage the transgender community to report hate crimes/incidents	6
Promotion of third party reporting via support organisations	5
Build trust with trans community	4
Support groups can encourage the reporting of incidents	1
Reporting should improve when it is seen that incidents are being dealt with seriously and sensitively	1
Closed courts where and when alleged offenders are brought there for transphobic crimes	1
Education of transphobic issues experienced given to officers	1
Joint training	1
Police need to be proactive	2
Having more legislation to deal with offences	1
Don't know	2

**Appendix 5 – Map of Northern Ireland’s policing districts
(from 1st April 2007)**



District Area	District Command Unit within District Area
A	North Belfast, West Belfast
B	Belfast City Centre, East Belfast, South Belfast
C	Ards, Castlereagh, Down, North Down
D	Antrim, Carrickfergus, Lisburn, Newtownabbey
E	Armagh, Banbridge, Craigavon, Newry & Mourne
F	Cookstown, Dungannon & South Tyrone, Fermanagh, Omagh
G	Foyle, Limavady, Magherafelt, Strabane
H	Ballymena, Ballymoney, Coleraine, Larne, Moyle